



annual report 1977

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 seventh annual report of the Commissioner of Official Languages covering the calendar year 1977.

Yours respectfully,

A handwritten signature in black ink, appearing to read "M. F. Yalden". The signature is written in a cursive, flowing style.

M. F. Yalden

March 1978

The Speaker,
House of Commons,
Ottawa

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M. F. Yalden

March 1978

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Preface

Although it may seem pretty small potatoes as compared with other shocks endured by the Canadian body politic in 1977, the departure of the first Commissioner of Official Languages and the arrival of his successor must be accounted a major event from the more parochial perspective of our Office.

Mr. Spicer's efforts on behalf of language reform speak eloquently for themselves, but it would be more than a little churlish if I were not to thank him for them publicly at the outset of this *Report*. That the Official Languages Act is a genuine force for change in the life of our country, and not a dead letter mouldering in the bureaucratic archives, is in large measure due to my predecessor and his colleagues. I wish him well in a new career in which he can judge our efforts from the heights of Olympian objectivity.

Whatever the long-term effects of a change of lessees at the Official Languages shop, there is one immediate consequence: the present *Report* inevitably deals with a year in which two Commissioners were responsible for the Office, and may therefore be expected to reflect two perhaps rather different approaches to the problems at hand. I hope, for the reader's sake, that this fact will not result in more than a minimum of confusion, for although differences of style may be observable between the past and what is in store in future—in this *Report* as elsewhere—a considerable measure of continuity may be expected on matters of more fundamental importance.

To be more specific, it will be worth while to state as plainly as possible, and as early as possible in the game, that my intention is to maintain the traditional independence of the Office. I regard myself as a servant of Parliament, not of the government of the day, and I propose to act accordingly. Although it would be fruitless to seek confrontation for its own sake, I do not intend to avoid difficult or controversial subjects simply to escape criticism, or disagreement with the powers that be.

Also in keeping with the approach developed by the Office over the first years of its existence, I intend to adopt as broad an interpretation of our mandate as circumstances require. This does not mean that the Commissioner should become a linguistic busybody, always butting in where he does not belong. It does mean, however, that he must recognize from the outset that he would not be doing his job if he restricted himself exclusively to a narrow interest in bilingualism in the federal Public Service. I therefore expect to stand up and be counted on a wide range of issues related to language reform.

The Commissioner's role was described very well a number of years ago, even before the Official Languages Act was passed, in the first volume of the B and B Commission Report:

The Commissioner of Official Languages in Canada should play a dual role. In the first place, he will be the active conscience—actually the protector—of the Canadian public where the official languages are concerned. His duty will be to examine particular cases in which the federal authorities have failed to respect the rights and the privileges of individuals or groups of Canadians. The Commissioner will in a sense play the role of a federal 'linguistic ombudsman' by receiving and bringing to light the grievance of any residents concerning the official languages

The Commissioner of Official Languages will also offer criticism of the manner in which the federal Official Languages Act is implemented. He will have to scrutinize the linguistic aspects of the acts of the federal government and its representatives in their relations with the public in all parts of the country . . . Since he will have to report annually, the Commissioner will, in matters of language, function at the federal level as the Auditor General functions respecting government expenditures and property.

I have little to add to this except to note that, although both functions are important, it seems likely in the light of experience that the second will prove the more significant in the long run. After all, preventive medicine is surely more effective and less disagreeable than the kind of treatment that may be necessary to rescue the patient later on if the disease has been allowed to go unchecked. Medical metaphors aside, our Office intends to make itself available to anyone to whom it can be of assistance in meeting the letter and the spirit of the Act, and in determining how to avoid the vexing and unhappy problems which arise when one or other of our official languages is not accorded the equality of status given it under the law.

A final word about the context in which this *Report* is published. Canadians have never been noted for a feeling of closeness to the problems of their fellow-citizens, let alone for a propensity to express such feelings out loud. It is perfectly normal, it seems, to rejoice or grieve over events half a world away—indeed, at times, to adopt a missionary stance toward others' troubles—but to extend the hand of friendship and understanding to a fellow Canadian in another part of the country often appears to be more than many of us can manage. It is perhaps inexcus-

ably naive in the cynical world in which we live to assume that, as a result of the Quebec election of November 1976, and the dramatic events which have ensued, at least some of us will place a higher value on trying to make a small additional effort to comprehend each other's problems. Yet there have been signs, occasionally, that this may be so. In any event, one thing is clear: whatever the outcome of the current political struggle, the language question will continue to plague us unless this spirit of tolerance and generosity, so easily preserved in the abstract or at a distance, can make itself felt a good deal closer to home.

M.F.Y.

PART I

Chroniclers of the recent past have constantly to guard against a natural tendency to assume that ground freshly turned has never been worked before. Thus, as we look back upon the events of 1977, we should perhaps remind ourselves of what was written, in 1965, in the Preliminary Report of the Royal Commission on Bilingualism and Biculturalism:

The source of the crisis lies in the Province of Quebec; that fact could be established without an extensive enquiry. There are other secondary sources in the French-speaking minorities of the other provinces and in the "ethnic minorities"—although this does not mean in any way that to us such problems are in themselves secondary. But, although a provincial crisis at the outset, it has become a Canadian crisis, because of the size and strategic importance of Quebec, and because it has inevitably set off a series of chain reactions elsewhere.

Although drafted more than twelve years ago, these words could be used, with some minor shifts in emphasis, to describe Canada's current unity crisis. Other well-worn themes and expressions—constitutional reform, separatism, regional disparities, federal-provincial relations—today enjoy the same currency they had in the sixties. Even if we add a few items—Bill 101, sovereignty-association, reciprocity arrangements—and substitute a task force for a royal commission, the picture is no less familiar. But is it merely a case of *plus ça change, plus c'est la même chose* or are we experiencing something quite new in the life of the Canadian people? Probably a bit of both, as will appear in the following pages.

LANGUAGE AND NATIONAL UNITY

Those acquainted with the mandate that Parliament has bestowed upon the Commissioner of Official Languages may wonder why we have chosen this year to devote a few pages to the national unity issue, essentially a political problem enveloping much more than language. The reasons are two-fold: first, the Commissioner's independence and disinterest are not to be equated with indifference or lack of interest; a lofty,

ivory-tower approach to a question as fundamental as the possible disintegration of Canada would be almost inconceivable for a servant of Parliament appointed to protect the linguistic rights of all Canadians. Second, while language reform is but one of the necessary ingredients of national unity, language problems are a recurrent and pervasive element of the various contentious issues discussed by provincial and federal authorities. In short, language and national unity are inextricably entwined; but if they are to be anything more than unwilling bedfellows, ways must be found to inject some enthusiasm into their lukewarm embrace.

1. The National Unity Debate: Double Solitaire

For the moment, it often appears that the contrary is more likely, that language and unity questions will remain at bottom irreconcilable and insoluble, lost forever in a morass of contradiction, misunderstanding and push-pull jurisdictional squabbling. On the one hand, the Federal Government promises to provide its services in both languages across the country, only to find—millions of dollars and years of effort later—that the French-speaking Winnipeg resident may well care less about buying stamps in French in a federal post office than about sending his child to a provincially supported school in a French system. On the other hand, the Province of Ontario, 110 years after Confederation, starts to make a serious effort to provide bilingual services while the Province of Quebec, after doing so for 110 years, starts to reduce them. The feds (who would like to) can't push too hard for bilingual education and better minority language education; the provinces (which can) won't. A bilingual sign in Quebec is sometimes illegal; in Vancouver it's sometimes defaced. Quo vadis, Canada?

Gloomy though that portrait is, more than a glimmer of hope is visible. The battle joined after November 15, 1976, has led at least some of us to an urgent quest for solutions to the unity problem. Now that the chips are down, many Canadians—and their elected representatives—are taking a serious second look at their more rigidly held views and many seem prepared to make real changes. Several provinces have stated their willingness to provide French-language education to the children of public servants posted from Ottawa as a result of the Federal Government's policy of decentralization; Ontario has enacted legislation, over the heads of local authorities, to provide a French-language school in Windsor-Essex; Quebec has indicated that the doors are not shut to discussion on a number of major language questions. "Just drops in the ocean, mere political wheeling and dealing, nothing has really changed", some cynics will say. Perhaps. But perhaps not. Maybe, just maybe, notions of equal justice and equal dignity, together with greater sensitivi-

ty towards fellow citizens' legitimate and deeply held wishes and convictions, are gradually permeating the minds of Canadians. Maybe, too, the diversity and contradiction we are witnessing will lead to a balance being struck and greater maturity achieved.

Precisely where then, in the shifting political and social quicksand of national unity, can we locate the language question? If not always clearly visible, it is never far beneath the surface, with language rights inevitably forming part of all debates on the constitution, education, the minorities, federal-provincial programmes and so on. How is it, some observers have asked, that language is still an issue in the national unity debate eight years or so after the birth of the B and B offspring, the Official Languages Act? Is it perhaps legitimate to question the proposition that "bilingualism" is a unifying force in Canada? Is it not just the opposite, a divisive issue, rejected or spurned by a large portion of the population, as much within Quebec as without?

The results of various public opinion polls appear to indicate, to the contrary, that a considerable proportion of Canadians favour the idea that the Federal Government should provide services in both official languages, and are convinced of the importance of the individual being given a chance to develop his capacity to speak the two languages. So far so good. In some sense or other this must be seen as a sign that the language question has not had an entirely divisive effect. But what about the people we all know who are convinced that something is being shoved down their throats? For *them* at least, the language issue is certainly not a unifying factor in Canadian life, to say the least of it. And we should not delude ourselves that they are only a few isolated individuals.

If you think this leaves the matter more confused than ever, you are probably right. But is that surprising? Was not the mistake to think the opposite, that the problem was like any other, relatively simple intellectually and easy enough to map out on a flow chart that would lead us inevitably toward a solution? Would it not have been more astute of governments, plural, to have recognized language reform as a fundamental social change which would be profoundly difficult to achieve, and to have discussed the matter in honest and straightforward terms with those who would have to accept and live with it?

At least in the Western democracies, one way of judging a society's level of maturity or civilization is to look at the manner in which it treats its minorities. That this factor is all the more significant in the case of a large, homogeneous group—like French-speakers in Canada who represent more than a quarter of the population—is almost self-evident. Yet until "the crisis" to which the Royal Commissioners pointed in the mid-sixties, it appears that many if not most Canadians were quite unaware that anything had gone wrong. Is it any wonder then that proposals designed to set right some of what were so belatedly recognized

as very real problems have created serious misunderstandings among Canadians and the severe tensions that go with them?

However one answers these questions for oneself, the problems they reflect are not getting any easier. Moreover, they demand resolution even more urgently than in the past if we are to survive as a cohesive whole, and this regardless of new political or constitutional schemes that may be devised in the months ahead. The essence of the matter has probably not been more forcefully put than by the Treasurer of Ontario, the Honourable Darcy McKeough, who offered the following comment at the University of Toronto's mid-October Conference on the Future of the Canadian Federation:

The time has long since come when we must put aside the debilitating debate about the rightful place of the English and French languages in our society. They are both here to stay as are the cultures that flow with them and we must now find the best national guarantees of the rights associated with this essential human requirement

We have everything to gain and nothing to lose from this step of courage and commitment. Let us simply recognize the mistakes of the past in this area, and get on with the job firmly and fairly. We have talked so much and so bitterly in Canada about languages. I hope that we cease such unproductive activity and allow ourselves to be enriched by an intermingling of two great, natural assets of our heritage.

Exactly. Now, if governments—again plural—can match their actions to these fine words, there may indeed be a real prospect of substantial progress. But even then we should not expect it to be easy. On the contrary, Canada will continue to experience the pains and problems that far-reaching reforms usually occasion. The question, therefore, whether “bilingualism” has been a divisive or unifying issue for the country will to a degree remain irrelevant. Language reform, quite simply, was and remains necessary. But progress with respect to official languages is hardly likely to be a panacea for all this country's ills. On the contrary, if the maturing of an individual is more than the disappearance of adolescent acne, the maturing of Canada—and its unity as a nation—is much more than the recognition of equal status for the English and French languages.

Indeed, the scope of the problem is reflected in the vast range of interrelated questions currently being examined by a host of recently-created national-unity groups, whether officially constituted or comprising concerned citizens committed to the concept of one country. However loosely interrelated they may be, all these groups have the common objective of keeping Canada together. Their concern is a political one, which would normally be out of place in the Annual Report of a language watchdog, especially one who is convinced that there are already more than enough national unity warriors deployed in the field—on both sides—without his joining the fray. The point, however, as we suggested

at the outset of this section, is that different though they may be in the abstract, language and national unity questions are intimately related in practice. So much so that the Federal Government and at least a majority of the provinces appear to be agreed that a clearer recognition of Canadians' language rights, perhaps in a new Constitution, is an essential ingredient of any successful unity recipe. In other words, if a resolution of the language problem is not a *sufficient* condition of national unity, it certainly appears to be a *necessary* one.

2. *A National Understanding: Hope Springs Eternal*

The complexity of the language and unity issues, with their political ramifications for both federal and provincial jurisdictions, was discussed at some length in *A National Understanding*, a statement of the Federal Government's official languages policy, issued in June 1977.

Generally speaking, *A National Understanding* provides a reasonably accurate and informative look at the Government's language policy. True, its authors hardly dwell lovingly upon sins and omissions of the past; neither, however, are such errors ignored or glossed over entirely. The strength of the document undoubtedly lies in its attempt—honest if not always successful—to explain in a straightforward fashion what the official languages policy means to the man in the street. While stressing the fact that it is not the citizen but the Federal Government and a proportion of its employees which must function in both languages, it reminds the reader of the advantages of learning a second language. Thus, it attempts to forge a link between a policy which relates primarily to institutions, the application of that policy to the individual, and the rich practical and cultural benefits Canadians can reap if they become bilingual.

That the Government has not been successful heretofore in explaining—let alone selling—this particular facet of its official languages policy to the taxpayer may well be the understatement of the year. "Institutional bilingualism allows for individual unilingualism" is worthy of George Orwell. Is it any wonder that Canadians have reacted precisely as if Big Brother were trying to push them into accepting something that, on the surface at least, appears illogical if not worse? And yet, looked at dispassionately, it is not necessarily difficult to understand that an *institution* can offer a service without all its *employees* personally being able to do so. And transferred to the area of language reform this is after all what "bilingualism" is all about—a government agency or department with a capacity to serve the public in both official languages, and a public which is essentially unilingual and which seeks to be served in its own language, not someone else's.

Then where does individual bilingualism come in? Evidently, *some* government employees have to have a capacity in the two official languages or the machine grinds to a halt. Many already know both when they come to the job; others are trained at government expense. This ought not, in theory, to get anyone's back up. Yet it does, and *A National Understanding* does not dissipate these fears any more than earlier government pronouncements. This is not entirely the fault of the Government, moreover. After all, can you really tell people that you propose to make an omelet, but that you are not going to break *any* eggs?

What the Government might have done, however, was to explain—clearly *and* consistently—how many eggs were involved and what this might entail for those who would just as soon have seen them left unbroken. That is to say, it might have dealt much more carefully—and compassionately—with those who felt, rightly or wrongly, that the rules of the game with respect to entry into government service, and promotion within it, had been changed. It might also have promoted the cultural—and in some cases commercial or professional—advantages of a knowledge of one's second official language, even for individuals with no interest whatever in the Public Service, in a more attractive manner and without the suggestion of threat or coercion which too many people have unfortunately read into government policy.

Whatever the mistakes of the past, if the Government intends to show the linkage between the national unity and language issues, and to ask Canadians to accept that the former cannot be resolved without a solution to the latter, any new language policies will have to take on a more persuasive coloration than has been the case in the past. Recent statements on Public Service bilingualism and on the official-language minorities—of which more below—suggest that overconfidence on this score would be ill-placed, to say the least, but the fact that their collective noses have been bloodied more than once does not absolve government spokesmen from their obligation to explain—and to explain convincingly—what language reform in Canada is all about.

THE ADMINISTRATION OF OFFICIAL LANGUAGES

It is an unhappy fact of life that, more than eight years after the proclamation of the Official Languages Act, language reform still does not enjoy a high priority among senior government officials and managers. Despite the continued emphasis which has been placed upon it by Parliament and by the Government, and despite what this Office has in the past termed “fundamental foot-slogging gains” in some areas, it nevertheless remains true from the managerial standpoint that language considerations tend to take a back seat to other priorities. Whatever the

problem at hand, virtually all the options are canvassed and decisions taken in the light of a range of familiar operational considerations. Only then are language problems brought to the fore, as if they were an afterthought, something dreamed up at the House on the Hill, laudable no doubt as an ideal but not to be taken seriously in administrative circles.

Progress may be possible in these circumstances, or rather in spite of them, but definitive, comprehensive language reform will remain difficult if not impossible to achieve at the federal level as long as they prevail. Nor can provincial governments be excused their share of the responsibility. Consider for example the matter of justice before our courts, one of the most fundamental “services” one can expect of the public authorities, and one in which both levels of government have a role to play. Can anyone fault Gordon Sinclair’s sharp words in *MacLean’s* magazine last autumn:

Imagine a Québécois seeking justice in an Alberta court and having to engage an interpreter to plead his case. This is his country, including Alberta; and French, his tongue, is an official part of his country’s language. Too long has he been neglected, too long has he endured in silence.¹

We might add, in fairness to Alberta and the courts, that one could substitute another province and another government service without substantially affecting the cogency of Mr. Sinclair’s remark. The point is not to blame this or that administration; it is to underscore the simple fact that as long as agreement has not been reached on clearly-defined policies, with recognized and accepted variations adapted to the situation in different parts of the country, neither level of government is likely to emerge from this state of affairs in a consistent and satisfactory manner.

1. Language of Service: Red Deer, Rimouski and Realism

At the federal level, the proposal to establish bilingual districts might have been one way of meeting the requirement for a clear policy on language of service to the public, albeit in a manner that at times appeared to cause more complications than it resolved. In any event, the long-anticipated decision not to proceed with them has caused concern for a number of Francophone minority groups outside Quebec who, along with their English-speaking counterparts in Quebec, would have been the principal beneficiaries of the guarantees of bilingual services intrinsic to the concept of bilingual districts.

In its policy utterances on this matter, the Government has stated that it intends “to continue to improve the responsiveness, availability and quality of these services”. All of which is fine and dandy, provided

¹ *Maclean’s*, August 8, 1977, p. 14.

that these generalities are translated into concrete services in both languages for official-language minority groups and the travelling public.

Some headway has undoubtedly been made in this direction, but as often as not it has been accompanied by rising expectations which have led in their turn to pessimism and frustration. Are there in fact realistic objectives and realistic limits for the provision of language service? Offhand, the answer is undoubtedly "yes". But the awkward part about urging "reasonableness" on all parties is that it is easier for some to be reasonable than others. A group which habitually receives government services in its own language almost everywhere, as a matter of course, is more inclined to urge reasonableness than fellow citizens who have had to struggle for grudging recognition of their rights. One person's reasonableness becomes another's indignation.

The Official Languages Act offers guidance while leaving room for interpretation. Feasibility and significant demand are the general criteria to be used, but what is "significant" demand? And how much service should be provided in response to that elusive demand? Perhaps a first step in determining exactly what services should be offered in the two official languages across Canada would be to consult the potential clients. Who after all would be in a better position to specify where there are shortcomings and just how they could be remedied?

We confess that this does not have the look of an original idea. Yet despite the plethora of briefs prepared, meetings held, publicity distributed, and commissions established, all related to the situation of the official-language minorities' survival, serious consultations do not appear to have been held. There may therefore still be room for further discussion, on a more precise, down-to-earth basis, with a view to reaching agreement on a level of service which would satisfy the client and be feasible in the eyes of the Government.

The intent of the Official Languages Act is one of common sense and realism. It would be utopian to expect to receive *all* federal services in *all* federal offices in both official languages in Red Deer or Rimouski. And if the same range of services that are available in Montreal or Ottawa is not in the cards in the more unilingual areas of the country, then the Government should stop suggesting that it is, or may be one day. Michel Roy has put the matter very succinctly in a recent editorial:

But whatever formulas are considered, it is illusory to seek total and complete equality for all the Francophone communities outside Quebec. Conditions differ appreciably depending on whether one is talking about New Brunswick and Ontario, on the one hand, or Manitoba and Saskatchewan on the other.¹

¹ *Le Devoir*, January 4, 1978, p. 4. Our translation.

Yet at one extreme there are people, in and out of government, who view demand as insignificant unless it is steady, constant and large; and at the other those who believe ardently that every isolated request raises an important matter of principle. But between the extremes there are very considerable numbers of well-meaning, well-intentioned, "reasonable" persons who are prepared to do whatever seems necessary and advisable. The problem is their inability to determine what *is* necessary and advisable.

One thing is clear: it is unacceptable that the real reason behind lack of demand should be tardiness or unavailability of service. And in areas where the official-language minority are scattered or few in number, government authorities frequently have been lacking in the imagination and effort necessary to handle language problems expeditiously. In this age of advanced technology, a resolute administration should be able to devise means of providing service via near-instant communications in either official language to any location in Canada. A first priority is to establish federal information centres capable of serving the official-language minority group as well as the local majority. These centres should be staffed to provide quick and efficient referral to the appropriate government department or agency where service in the language of the caller is available as a matter of course. The means of accomplishing this objective, where long distances are involved, are already in use by federal employees to communicate with one another—at very considerable expense to the taxpayer. They could be put to good use in serving the official-language minority in areas where it might otherwise be difficult to provide adequate services.

Some thought should also be given to the location of government offices. For example, in most francophone communities in the English-speaking provinces, there are institutions which serve as focal points. The *Caissees populaires* and other francophone co-operatives are well-known, thriving illustrations which could well be used as communications centres, if not as the actual locations of some federal government offices dispensing services in French. Those departments that provide the most, and the most immediate, services to the public (such as Employment and Immigration, Health and Welfare, the Post Office, etc.) could have counters in such locations to dispense information or services. A local Post Office in the smaller towns or the main Post Office in larger cities could also serve as the site of a centralized information and service centre. An active publicity programme could advise the Francophone public of the establishment of centralized services and where they were available.

In the final analysis, however, service to the public in both official languages cannot be absolutely equal in quality where minority language groups are few in number or widely dispersed. It would be dishonest of the Government to endeavour to make the public believe what is not true.

Whether it be Red Deer or Rimouski, realism dictates that the minority is not likely to receive the same degree or quality of service in *every* sphere of government activity. What should be made eminently clear, however, is that there is no preferential treatment to one minority group over the other. What is provided for the Francophone in Red Deer should be essentially similar to what is provided for the Anglophone in Rimouski.

Or to return to our earlier comment, the potential clients, those who would actually use the service, should be earnestly consulted and their views genuinely considered in determining the range of federal services that can reasonably be provided in the minority official language. After all, if the customer is always right, should he not be given a chance to be so in his own language?

2. *Language of Work: Unanswered Questions*

A perceptive foreigner on a study tour in a government agency might be surprised to learn that Canadian public servants are *encouraged* to use the official language of their choice in performing their duties. Astonished by the news that they might thus have to be pushed, as it were, to make use of the most obvious tool that nature has bestowed upon them, the stranger might naturally seek the advice of learned friends.

The reader will not wish to waste much time on the explanations given our hypothetical foreign friend. Like all elucidations of bureaucratic handiwork, they would generate much heat but little light, and in all probability would leave the fundamental questions unanswered: why is it necessary to encourage people to use their own language; and if it is necessary, how would one go about it?

The “why” is easier to deal with than the “how”. From time immemorial until the mid-sixties, when the late Prime Minister Pearson stated the goal of a Public Service reflecting the character of both French-and English-speaking Canadians, that Service had been largely English-speaking. Institutional conventions established over a hundred years can hardly be altered overnight. It is therefore not at all paradoxical that individuals whose livelihood, advancement, and personal satisfaction were intimately bound up with those institutions should have found it equally hard to break with their conventions. And so it developed that, far from being a natural or an easy matter for francophone Canadians to speak French on the job, the language of the work place became an even more difficult problem than the language of service to the public.

And so it has remained. Although we believe that the criticism our Office has levelled over the years at Government language policy in the matter of service to the public has not been misplaced, there has in fact

been undeniable and even substantial progress in this area. By comparison, and with due respect to outstanding exceptions, the development of a successful language-of-work policy is barely beyond the embryonic stage. In other words, we are still a long way from resolving the very difficult problem of *how* to achieve a situation in which, generally speaking, public servants may work in the language of their choice, especially if that language is French.

The solution to the conundrum is at once quite straightforward and exceedingly complex: straightforward because essentially what is involved is a persistent effort to persuade Francophones at all levels to speak French; complex because it involves a break with the past which not only raises considerations of efficiency, but problems of human relations, patterns of human behaviour, which cannot be altered by administrative fiat. Nevertheless, the establishment of French as an accepted language of work is at the heart of the matter and the effort must be made.

This calls, first and foremost, for a renewed commitment at the most senior levels of Government. How, one might ask, can the troops be expected to perceive the merits of French as a language of work when the Government continues to make Order-in-Council appointments of Anglophones who are not required to become bilingual even to the extent of senior public servants? How again can French be expected to assume its place in the everyday work of departments and agencies if committees and meetings at ministerial and senior officials' levels conduct their business largely or exclusively in English? The news gets around after all; and, as the cliché has it, actions speak louder than words.

What we are saying in brief is that without unequivocal firmness of purpose at the top, which is visible on a day-to-day basis and not merely in occasional directives to the lower decks, there is little hope of achieving a genuine solution to the language-of-work problem. And without a solid achievement in this area one must wonder, to say the least, what will become of the Government's contention that the Public Service will be "irreversibly bilingual" by 1978.

Whilst a genuine commitment on the part of senior officials is undoubtedly the key to developing French as a language of work, it is not sufficient by itself. It will also require a number of administrative improvements and changes in long-standing habits and procedures, some of which are discussed briefly below.

a) Work Instruments

To use his own language effectively the employee must have at his disposal in that language the necessary tools of his trade, more delicately referred to in officialese as "work instruments". Much progress has been

accomplished over the past several years in this area: many manuals, guides and essential working documents have been translated into French; and new items now being generated are, for the most part, published and distributed simultaneously in both official languages.

Nevertheless, in fields categorized as "scientific and technical", the problem is still enormous. Despite the difficulties, however, partial solutions can be contemplated with realism. The first requirement is the establishment of a careful, selective and systematic approach to the problems of translation and publication of technical and scientific papers in both official languages. This is particularly important where basic, essential manuals and their periodic addenda are necessary. The second is an increased effort, while recognizing realistically the place of English as the major international language of science, to encourage French-speaking public servants working in these fields to generate their own documentation in French so far as possible.

b) Internal Communications

The problem of internal communications and language of work in the Public Service can often be reduced to the question: who speaks (or writes) to whom in which language? Present policy is based on a concept of bureaucratic hierarchy according to which supervisors are expected to respect the language preferences of their staff, and headquarters organizations are expected to communicate with regional offices in the working language of the latter. While there is nothing intrinsically wrong with this general guideline, rigidly applied it may lead to difficulties. The hierarchy is not always clearly defined, as in the case of communications between individuals and groups at similar levels of the pecking order; and in other instances, common sense may dictate that a different pattern of communications is more appropriate.

Are there not many occasions, for example, for putting into practice the concept of receptive bilingualism, where each of the parties uses the language of his choice in the knowledge that he will be understood by the other? This is a simple and in no way discourteous solution, and although it has often been thought difficult to establish in Canada, it has some currency abroad. Indeed, one suspects that, here in Canada too, it may be a more widespread practice than is commonly recognized. It is not officially sanctioned for fear, perhaps, of breaking the existing rules of the game.

c) Working and Serving the Public

The question of providing the public with services in both official languages while allowing public servants to work in the language of their

choice has, in recent years, been the subject of a great deal of misunderstanding. Despite repeated efforts on the part of those responsible for generating language policies, two opposing myths still prevail: one is that *every* public servant has to be bilingual; the other is that every public servant may *at all times* work in the language of his choice. Both are false.

Of course *some* public servants have to be bilingual; of course *some* have to work part of the time in their second language. But even those providing bilingual services to the public or to the staff they deal with have the right to their own internal services (with regard, say, to personnel or financial matters) in their own language. Second, a number of organizations offering fixed-location services to the public—such as wicket services provided by the Post Office, Air Canada and Customs and Excise—should be able to identify those wickets according to language, and thereby allow their employees to work pretty well exclusively in one language.

Recent guidelines issued by the Treasury Board call for managers to make a greater effort to organize duties and work-flow along unilingual rather than bilingual lines. This is an important and positive step and should be treated as such by all departments and agencies. As we suggested in a broader context at the outset of this section, the key is to ensure that managers give as serious attention to their responsibilities in the area of language reform as they do to their other duties, and do not treat language merely as a troublesome, amorphous problem to be left to fester at the bottom of their in-boxes. With that proviso, progress will continue to be made; otherwise we must seriously doubt whether both languages will ever be real vehicles of everyday internal communication in the Public Service of Canada.

3. *Government Policies: Something Old, Something New*

In September 1977, in the midst of the profusion of problems reviewed above, the Government made good the promise contained in *A National Understanding* by introducing a broad-ranging set of revised official-languages policies.

The most significant changes have as their underpinning the decision to move into what is termed a second phase of implementation of the official languages programme. To quote Treasury Board prose: “from a phase of accelerated and directed development, the Government intends to move to a phase of consolidation and progressive integration”. Translated into the language of the outside world, this seems to indicate that the Government considers that its official languages programme is well launched and is no longer in need of special status. Consequently, bilingualism will be integrated into other programmes; and departments,

rather than central agencies such as Treasury Board and the Public Service Commission, will henceforth be responsible and accountable for many aspects of the official languages programme.

The revised policies cover the period 1977-83. Three of their major elements, discussed in greater detail below, relate to the criteria for establishing bilingual positions and conditional appointments to them, basic language training, and the bilingualism bonus, all of which, if progress continues as planned, will be dropped on December 31, 1983. By that time, the Government now estimates, the Public Service will have achieved its objective of functioning as a fully bilingual organization.

Recognizing the weaknesses of the former system of identifying bilingual positions, the Government has decided in future to base the language requirements of positions "on the specific and actual work-related need for one or both languages to carry out the duties of each position". Why this approach was not adopted long ago is still a mystery to us.

Prior to the issuance of the revised policies, much was made of the likelihood that the number of bilingual positions would be substantially reduced as a result of the re-identification process. However, the latest indications from the Treasury Board are that any such reduction will, at best, be slight "since priority consideration must be given to the effective delivery of the services provided . . .". Indeed.

And what of the effect of trying to reduce the number of bilingual positions just as bilingualism bonuses are introduced for qualified incumbents of such positions? Future teachers of public administration, take note: the Bonus Law states that the Employer's enthusiasm for bilingual positions is inversely proportionate to the Employee's devotion to the bilingualism bonus.

Suffice it to say that the link between the bilingualism bonus and the process of re-identifying and reducing the number of bilingual positions is unfortunate. To be fair to the Government, it may even have been unintentional, for the policy barons of Treasury Board seem to have had a quite different link in mind. This was the three-item package containing the bilingualism bonus, basic language training and conditional appointments, a package designed to self-destruct on December 31, 1983.

The Government's rationale for this decision was based on its perception that (i) an irreversibly bilingual public service would exist by December 1978 but that, in order to give "even more notice to current and prospective employees", the policies of conditional appointments and basic language training at government expense should continue until the end of 1983; and, (ii) the Bilingualism Bonus Plan was a temporary measure which was costly to maintain and which would also be terminated on December 31, 1983.

a) *Conditional Appointments*

There is little doubt that conditional appointments must be phased out, for at best they were designed as a temporary step toward developing a functionally bilingual Public Service. The concept, which allows for the appointment of unilingual personnel to bilingual positions provided they state their willingness to take language training, has never been fully consistent with a policy favouring the provision of services in both official languages. It must clearly be terminated as soon as possible if the terms of the Act are to be fully met without long delays. The Government cannot—and has now declared that it does not intend to—perpetuate indefinitely an expensive, time-consuming and somewhat risky investment in personnel who do not have the necessary language skills to carry out their duties.

b) *Language Training*

The phasing out of conditional appointments no doubt leads to a reduction in the need for universally available basic language training for public servants. It does not, however, mean that language training should be brought to a halt and that *only* specialized training should remain available to public servants after 1983, as appears to be indicated in the revised policy. It is sheer foolishness to assume that future public servants, now 16 years old and in secondary school in British Columbia, Nova Scotia or, for that matter, in parts of Quebec, will show up in 1983 fully bilingual and ready to provide services in English and French.

Until such time as school and university authorities across the country require the acquisition of the second official language as a prerequisite for high school or at least university graduation, the Public Service will be obliged to recruit a considerable number of unilingual personnel. Therefore, in addition to having specialized second language training available after 1983, it will be no more than common sense and elementary justice to many young people across the country to ensure that some basic language training should also continue to be offered.

The question that must be answered is *how* that basic language training should continue to be provided. One promising solution is certainly to cut back radically the present PSC-run language schools. The point does not need to be laboured—Professor Bibeau, numerous M.P.'s, public servants, journalists and critics from all over the country, including our own Office, have shown over and over again that the massive, shotgun approach to language training has not produced results that match the costs.

With personnel resources of some 1,700 man-years and a budget in the current fiscal year running at more than \$43 million, the present

effort must be more than the match of all the second-language university teaching units in the country put together. It should therefore be possible to handle the whole business with a much smaller public service programme and greater reliance on the universities, private institutions and departmental programmes, and have something left over for other high priority activities.

In this context, it is worth noting that the revised policies introduce a welcome flexibility by allowing managers to schedule a more tailor-made type of training programme for employees. Henceforth, managers will determine jointly with their employees which type of programme—continuous, cyclical, part-time, etc.—is best suited to the needs of the individual and the organization; furthermore, the period over which such training is to take place has been extended from one year to two and the Language Training Branch of the Public Service Commission will, it is promised, be developing more job-related content for language courses.

c) *The Bilingualism Bonus*

However sympathetic one tries to be with respect to the much-discussed bilingualism bonus, the ultimate conclusion must be negative from the standpoint of linguistic reform. Even on the assumption that there were reasons for granting it which seemed compelling at the time, it is hard to avoid the judgement that it will prove to be enormously costly, harmful to morale and essentially out of line with the Government's own language policy.

—As to the cost, unless there is a substantial reduction in bilingual positions, which we have pointed out is unlikely, a conservative estimate is some \$30 million per year for some 40,000 public servants, or a total of a quarter of a billion dollars over the seven-year life of the programme. And a sizeable proportion of this will be paid to public servants who originally acquired their language skills at public expense.

—The potentially damaging effect on morale is almost limitless. As an illustration, consider the attitude of public servants who provide some services in the two languages but do not receive the bonus because, for reasons unknown to them, they are not in bilingual positions. Consider also their neighbours who do get the bonus because they are in bilingual positions, but whose knowledge of the second language leaves something to be desired and who use it infrequently in any case. One group will surely be annoyed at not benefitting from a substantial perquisite that it claims others receive unjustifiably; the other will make every effort to hold on to what it has and at the same time will be unhappy over criticisms of waste in the Public Service which result from policies which were not of their

making. Some will threaten to withhold services; others will be in positions where they are supposed to provide them but rarely do. And so on.

—The lack of logic and consistency with the Government's position is equally glaring. How can the number of bilingual positions be substantially cut while at the same time the Government offers a financial incentive to those occupying such positions? What happens if one collects the bonus today and has his position "debilingualized" tomorrow? How can the Government continue to promote French-language (unilingual) positions for reasons of policy while placing the financial emphasis on bilingual positions? How can money be saved for programmes involving young people instead of functionaries—as promised—if the Government is laying out sizeable additional funds for the bonus?

d) Additional Policy Changes

Aside from the measures discussed above, which have received the lion's share of attention, the Government has acknowledged a number of new or revised policies relating to imperative staffing of bilingual positions, delegation of authority to departments, the future role of central agencies and the application of Government official languages policy to Crown corporations.

Positions staffed on an imperative basis are those which, "because of the need for specialized or expert language usage or because of certain operational requirements" need to be filled by already bilingual personnel. Such positions provide a clear contrast with the conditional appointments discussed above. To be blunt, the imperative staffing action applies to jobs which have an immediate need for fully bilingual personnel, as opposed to non-imperative staffing actions for positions which some day ought to be occupied by fairly bilingual people. At present, it is less than clear which positions, other than those of translators, editors and the like, will be staffed on an imperative basis. The new Treasury Board guidelines state at one point, in a passage which must be called opaque to say the least, that positions may be so staffed

where the linguistic profile of the position is of a special importance because of the relationship of a position to a particular community or group to be served, or because it has a significant operational impact related to the outcome of certain activities where alternative means of resource use are not practical (example: community development, mediation, negotiations, provision of medical services).

Perhaps in recognition of the impenetrability of this prose, the guidelines further state that Deputy Heads must have the concurrence of the Public Service Commission to staff on an imperative basis.

Much has been made of the decision to delegate to departments and agencies more authority and accountability for the official languages programme. Deputy Heads will now be responsible for developing departmental objectives, approving the identification of language requirements of positions and scheduling language training. Treasury Board and the Public Service Commission will retain responsibility for producing general policy guidelines, providing overall direction to departments and agencies, and reviewing the official languages plans and annual reports of departments and agencies on their implementation of official languages programmes. The central agencies will also monitor progress and report to the Government.

This shift in operational and managerial responsibilities will, we hope, lead Deputy Heads to give a higher priority to the official languages programme. Now that they are accountable for future progress (or lack of it), they may also decide to give more serious consideration to a repeated recommendation of this Office that the principal departmental official responsible for official languages should be a senior manager, reporting directly to the Deputy Minister, with enough decision-making clout to effect substantial change where required. (As long as this is not the case, it will be perfectly clear, in a rank-conscious town like Ottawa, that official languages policy is not being taken seriously by the senior mandarins.) The central agencies, largely freed from many of the departmental mechanics for implementing policy, should be able to concentrate on fine-tuning the revised policies, auditing specific and overall progress and, in the case of the Public Service Commission's language training programme, putting some order into their own house.

The central agencies have at least one substantially new responsibility, that of overall monitoring of the progress of official languages programmes in Crown corporations. While these corporations, as institutions of the Government of Canada, have always been subject to the terms of the Official Languages Act, there has in fact been no way to ensure that they were answerable to the central agencies for their performance in this area. The new policy will ensure that they must comply with the policies either in much the same way as departments and agencies or, in the case of corporations like Air Canada, the CBC and CN, through their responsible Minister.

4. Amendments to the Act: Time Flies

The Government announced in the Speech from the Throne on October 17 that it intended to introduce amendments to the *Official Languages Act*:

... in order to make more specific its provisions respecting the language of work of federal employees, to strengthen the role of the Commissioner of

Official Languages, and to clarify the role of the courts in safeguarding the equality of status of the official languages within the jurisdiction of the Government of Canada.

The Official Languages Act was proclaimed in force in 1969. Since then, it has, on the whole, proven to be a clearly worded and effective piece of legislation. However, nothing is perfect in this imperfect world, and with the benefit of several years of experience we welcome the announcement that the Government has decided the time has come to make some adjustments to the Act.

Section 34(1) of the Act empowers the Commissioner to make recommendations, regarding any changes that he deems "... necessary or desirable in order that effect may be given to this Act according to its spirit and intent." It is in this vein that we venture the comments set out below.

The Government has indicated that it intends to propose amendments to deal with what have become contentious issues relating to the role of the courts in safeguarding the equality of Canada's two official languages, and to their status as languages of work in government institutions. A problem of interpretation of Section 2 of the Act was highlighted in 1976 and earlier this year by apparently conflicting judicial decisions. These matters may be settled definitively in any case as a result of appeals now before the courts, but it would be well that the legislation itself leave no ambiguity in areas of such significance.

Certainly, from the standpoint of this Office, it is of the first importance that Parliament provide a clearer delineation of recourse which may be had to the courts, as against the complaints procedures now set forth in the Act. With respect to public servants' language of work, the Act as now drafted is also lacking in clarity and precision. The 1973 Parliamentary resolution reaffirming the principles of the Act served to clarify some of the confusion surrounding this point, and now is the appropriate time to amend the Act accordingly.

It would also be helpful if the Commissioner's powers to investigate acts of omission, as well as acts of commission, on the part of federal institutions and agencies, were more precisely articulated. Although this Office has almost invariably met with full co-operation when investigating complaints or in exercising its linguistic auditing functions, we believe the intention of Parliament on this point should be made explicit.

The Commissioner's role as a servant of Parliament and his independence of the Government of the day have been accepted from the beginning. He continues to be placed in an anomalous position, however, in so far as government officials retain control over key aspects of personnel management in respect of his Office. These problems have been resolved by appropriate provisions in the new Auditor General Act, and

any doubts as to the Commissioner's capacity for independent action could be removed by similar amendments to the Official Languages Act.

Consideration should also be given in our view to having the Commissioner's *Annual Report* laid before a Special or Standing Committee of Parliament. This would provide a more adequate opportunity to question the Commissioner, and to discuss important questions of language policy, than is possible under existing procedures.

Finally, we would express the hope that the amendments the Government proposes to introduce will take due account of suggestions made in earlier Annual Reports in this series.¹ Among the recommendations in those Reports, in addition to those referred to above on the language of work and the role of the courts, there are two that are perhaps worthy of mention: first, that statutory privilege be afforded the Commissioner in the pursuit of his duties, as it is generally for ombudsmen and commissioners with similar functions; and, second, that simultaneous translation be provided as a matter of course at all federal hearings of a judicial or quasi-judicial nature. We continue to believe that amendments to the Act along these lines would be beneficial.

MINORITY GROUPS

A great dream of the Canadian federation in the area of language reform has been that our several governments, each in its sphere, would not merely ensure the survival of official-language minorities but also foster their development and well-being. The Honourable Richard Hatfield, Premier of New Brunswick, put it this way in a speech earlier this year:

The crisis is whether or not we can keep the promise of Confederation that the French minority will be able to protect and enhance its culture and language, and develop and progress freely.

During the past year, we have seen disturbing signs that this promise, this dream, may be in danger. Some of the reasons for this situation are worth examination.

On the Government side, there has been a long history of too little, too late. From the establishment of the Official-Language Minority Groups programme in 1969, until fiscal 1976-77, budgetary allocations were barely able to keep up with inflation, let alone allow for any improvements. Perhaps worse than this, in recent years there has been no single senior official, with reasonable access to the responsible Minister, who could serve as an identifiable and acceptable government spokesman

¹ See *First Annual Report, 1970-71*, pp. 83-86 and *Sixth Annual Report, 1976*, pp. 12-15.

in discussions with the minority groups. An effort has been made to remedy this in the Secretary of State's most recent policy announcement, which is discussed more fully below, but it is far from clear that the Government's purpose has been accomplished.

On the side of the minority groups, the positions expressed have sometimes been either too imprecise or too unrealistic in the eyes of the Government to be a useful basis for policy formation. "Imprecise", it should be added, does not mean that those involved did not know what they wanted. On the contrary, that is clear: what they want, and what they deserve, is justice and fair play from the Government of their country and reasonable services from provincial institutions in the areas in which they live. But as we have pointed out above, to know this in general terms is not sufficient. It is also necessary—and this can only be established in conjunction with the groups themselves—to have a more exact appreciation of what is needed, what can be provided, and where and when. The establishment of the Federation of Francophones Outside Quebec was a welcome move in this direction because the Federation provides a forceful, indeed aggressive, interlocutor for government officials who must come to grips with the problem. A clearer pinpointing of authority on the government side would also be desirable, but the main priority is to undertake the kind of serious discussions which have been lacking for too long.

In this context it will be useful to look very briefly at the position set out by the minority groups and the response put forward thus far by the Government.

1. Les Héritiers de Lord Durham: The Heirs of Lord Durham

This much discussed two-volume report of the Federation of Francophones Outside Quebec, published in April and May 1977, paints a dramatic and gloomy picture of the situation of the official language minority outside Quebec. It comments on the unilingualism of provincial legislatures with the exception of Quebec and New Brunswick; it argues that education in the minority language enjoys official status only in Manitoba, Ontario, New Brunswick and Quebec; it underscores a lack of adequate French-language service in the courts and in social programmes. At the federal level it severely criticizes the National Film Board, the Canada Council and the CBC, and it condemns what it calls the display-case bilingualism of the Public Service. In brief, it demands a comprehensive and coherent policy for the development of communities which are linguistically and culturally French, and a mechanism at the federal level which will be competent to discuss this policy with the groups involved.

However polemical the style, it is hard to fault the logic of the Federation's insistence on a *comprehensive policy* which will offer some hope of a co-ordinated approach to the problems of the French-language minority groups. And similarly, whether or not one agrees with the mechanics of their proposal for a joint government-minority group committee structure (we in fact are deeply suspicious of bureaucratic committees as wasteful of time and effort), it is difficult to reject the idea that they are entitled to do business with someone in Ottawa who is both responsible and responsive.

2. *The Secretary of State's Department: Characters in Search of an Author*

After eight years of dealing with the official languages and official-language minority groups, it appears that the Secretary of State's Department is still wondering where it is going and how it will get there.

The Secretary of State announced on December 20, 1977, the establishment of a mechanism

intended to provide an opportunity for dialogue, communication and consultation with French-speaking minorities in the implementation of the Secretary of State's programmes for official-language minorities . . .

A major component of the new mechanism was the establishment of an interdepartmental committee chaired by an Assistant Under-Secretary of State and comprising officials from various interested departments and central agencies. The committee would be required to report every six months to the Secretary of State who would in turn report annually to the Cabinet. Finally, in each of five regions across the country an officer of the Secretary of State's Department would be designated to act as "a channel of communication to the Government for the special concerns of official-language minorities".

We have already offered our opinion, for what it is worth, on the wisdom of assigning this kind of role to an interdepartmental committee. Perhaps we are overly pessimistic. If so it is a pessimism shared by the Federation which has rejected this proposition in favour of one involving a joint committee of minority group leaders, and, it would appear, Ministers or senior officials. Again we must blush at our scepticism over the productivity of committees.

Yet all is far from lost. After all, both the Government and the Federation are talking about a mechanism of consultation. Surely it ought not to be beyond the wit of man to reach agreement on structures and procedures that would suit both sides and which would not be so awkward as to augur failure from the outset. If so, and if the mandate were broad enough to include the whole federal effort (i.e., agencies such

as the CBC and Canada Council as well as departments proper), then the chances of progress should not be at all remote.

There remains the matter of money. Although the mechanisms discussed above will have to prove their usefulness, the Secretary of State's Department has at least taken steps to cure the budgetary anaemia that has characterized its Official-Language Minority Groups Programme in the past. In his speech in the House of Commons on October 27, 1977, the Secretary of State announced the Government's intention to increase from \$30 million to \$75 million resources earmarked for the official-language minority over the next five years. For the record, the grants awarded by the Official-Language Minority Groups Directorate, as they appear in the Secretary of State's Annual Reports, are as follows:

1969-70	\$ 1,015,680.50
1970-71	1,645,850.00
1971-72	1,914,976.00
1972-73	2,499,998.00
1973-74	2,500,000.00
1974-75	2,900,704.00
1975-76	3,025,000.00
1976-77	3,625,000.00
	<hr/>
	\$19,127,208.50

As we have observed already, the annual budgets of the programme can hardly be regarded as the work of a spendthrift, especially when compared with the priority accorded these activities in government policy statements or relatively speaking with the amounts expended on activities to promote the official languages in the Public Service or in co-operation with the provinces. The funds available for the present fiscal year (\$5 million) are, however, a noticeable improvement, notwithstanding inflation, and the \$75 million promised for the next five years are certainly more in keeping with the magnitude of the problem.

But money alone will not provide the answer if the Government genuinely intends, as the 1977 Throne Speech suggests, to develop "a comprehensive policy for official-language minorities . . . and initiatives . . . to ensure its full implementation within federal institutions". This is a tall order, especially given the record of the past few years, and it will no doubt require a determined effort on the part of federal officials as well as the leaders of the minority community. We must hope that a substantial part of that venture will be put into more effective communications—in the first instance by the Government but also by the Federation and the groups it represents—for it is all too obvious that present

misunderstandings result in considerable measure from a virtual breakdown of reasonable human intercourse between a government agency and a group it is designed to serve.

3. *French in the Courts: Even-handed Justice*

A special concern of the official-language minority groups quite naturally relates to their treatment by the courts. While none of us wishes to contemplate the possibility, if ever we do have our day in court, we undoubtedly hope that it will be in our language and not someone else's.

The British North America Act assigns responsibility to the provincial legislatures for "... the administration of justice in the Province, including the constitution, maintenance and organization of Provincial Courts..." However, the Fathers of Confederation reserved to the federal Parliament matters related to criminal law, including questions of procedure in criminal matters, and the power of appointment of all superior court judges.

Thus we have the unusual situation in Canada whereby, in all but the most junior courts and the Federal and Supreme Courts of Canada, federally appointed judges preside over provincially constituted and administered courts, which are staffed by provincial public servants. Accordingly, the responsibility for resolving some of the linguistic inequities and anomalies that have existed in this complex area since Confederation rests with both orders of government.

The issue which is most pressing, and which has attracted considerable attention in the past year, is that of ensuring access to the courts in Canada in the official language chosen by the citizen. The lack of uniformity of procedure in the ten provinces was highlighted this year by publicity surrounding the so-called Filion Affair which concerns the inability of a French-speaking Canadian to have his criminal trial conducted in the French language in Ontario; the Forest Affair which represents an important constitutional challenge concerning the right of judicial process in French in the courts of Manitoba; and by the public debate which surrounded the provisions of Quebec's Bill 101 relating to the use of language in the courts of Quebec.

What the Canadian people have learned from these separate but related discussions is that up to now it has been possible for any person in Quebec (whether a corporation or a private citizen) to have his trial conducted in the official language of his choice, but that this has not generally been the case in the courts of the other nine provinces.

Obviously if a bilingual court system is to become more widespread in Canada, it will require the co-operation of both orders of government in the selection and training of both judges and court staff, and in

matters related to procedure and administration. The shared responsibility has not prevented the effective implementation of a bilingual court system in the Province of Quebec, and in certain parts of New Brunswick; and it is to be hoped that further progress will soon be made in other parts of Canada.

During 1977, we witnessed one retrograde development, the provision in Part III of Bill 101 which would have removed the right of corporations in Quebec to obtain a trial in the language of their choice.¹ It is noteworthy, however, that there have also been a number of positive developments since our last *Report*. Specifically, the Federal Government announced in the Throne Speech that, following consultation with the provinces, it intends to introduce amendments to the Criminal Code to provide for bilingual juries for criminal trials under the Criminal Code. In addition, the Province of Ontario has begun a limited experiment involving the bilingual administration of justice in the provincial courts, which if successful would be given wider application in the province. Judging by the experience of New Brunswick, there would appear to be no reason why the Ontario experiment will not prove successful.

One must hope that these are more than false harbingers of justice for both official language groups across Canada. Certainly they are encouraging signs, and although serious practical difficulties remain to be resolved, it is hard to believe that they would withstand a concerted effort by both levels of government.

4. *The Minority in Quebec: Fear Has Many Eyes*

Our Office has had many occasions to comment on the fortunes of the French-speaking minorities outside Quebec. It has not been necessary in the past to do likewise for the non-French-speaking group in Quebec, because on the whole they have fared well in that province from the beginning of Confederation. This may or may not change, but the fear that it will now exists and cannot be put aside. That fear centres largely around Bill 101, Quebec's Charter of the French Language.

The overall effect of the new Law is to make French the official or predominant language throughout the life of the Quebec community. In fairness, we should have little to question about this development, for with the exception of New Brunswick, much the same situation—but in reverse—prevails across the breadth of English-speaking Canada. Nevertheless, if the Law has had the effect of providing French-speaking Quebecers with a new sense of confidence in their language, it has also left the non-French-speaking minority with feelings of uncertainty and

¹ At time of writing, Part III has been held to be unconstitutional by the Chief Justice of the Superior Court of that Province, and his decision has been appealed.

concern about their future in Quebec society. How, in fact, are they affected by this legislation? A clause-by-clause analysis would not be appropriate here, but a few general comments will, we hope, clarify some aspects of the matter.

It is worth observing, first, that federal services will not be affected by the new Law. Departments and agencies of the Federal Government and federal Crown corporations will continue, in accordance with the Official Languages Act, to provide services in both official languages. As to the activities of other persons, groups, institutions and firms located in Quebec, it may also be noteworthy that every provision of the Law is to be examined in light of Section 89, which states that where it does not require the exclusive use of French, it may be used together with another language. Other sections specifically state that languages other than French may be used, as for instance in the case of professional associations communicating in writing with their members. Depending on the manner in which the Law is eventually applied, these provisions appear to leave a degree of latitude which could lessen the burden on the non-French language minority groups.

At the same time, the Law has been called restrictive, coercive and even unconstitutional in some areas affecting non-French speakers. As noted above, the constitutionality of provisions dealing with the language of the legislature and the courts is now being tested before the courts on the basis that it is contrary to Section 133 of the British North America Act. Restrictions on signage and various provisions governing the business world are also the subject of controversy. No one yet appears to know how some regulations will be interpreted, how flexible the responsible regulatory body (the *Office de la langue française*) will be in its rulings, what genuine hardship cases will be revealed, or where the fine line dividing necessary reform and unnecessary irritants is to be drawn. It is clear, however, that much will depend on the interpretations laid down by regulatory and governmental bodies, and hence on the willingness of officials to adopt a generous and sensible attitude—or the reverse.

The major criticism directed at the legislation has regard to the provisions governing access to English-language schools. In general terms, and with a number of exceptions, the regime existing up to now has been changed so as to exclude henceforth from these schools the children of persons who did not receive their own education in English in the Province of Quebec.

For a large proportion of the English-speaking population of Quebec, the impact of these provisions is slight. Their effect, however, is restrictive for at least three groups. First, there are many immigrants, not infrequently long-time residents of Quebec, whose children may not qualify; second, while the Law usually allows English-speaking Quebecers the choice of sending their children to English or French schools, it

effectively prohibits most French-speaking Quebecers from exercising the same choice; third, persons entering Quebec in future, whether from abroad or from other provinces of Canada, will, unless they are exempted, have to send their children to French schools.

These provisions undoubtedly represent restrictions on parental freedom of choice, and as such we cannot support them. Nevertheless, before anyone contemplates letting loose a barrage on this account, they might wish to keep in mind the glass house that is French education in the English-speaking provinces. The fact is that Quebec's English school system is still more complete than any French school system in the other nine provinces. Furthermore, although freedom of choice for immigrants may exist in theory in other parts of the country, in the sense that it is not prohibited by law, it would be an exceptional immigrant who would in fact choose a French-language education for his children in most parts of English-speaking Canada—even if he could locate a school which was able and willing to provide it.

Thus, although the changes set out in the new Law are distasteful to many, they do in fact entail very little, vis-à-vis immigrants from abroad, that is not already the case elsewhere in Canada. Their effect upon the majority French-language population has already been noted, and does not require further comment here. The key to a resolution of the problem probably lies therefore in a reasonable compromise over the matter of free choice of language of instruction for persons moving from one province to another. We shall comment briefly on this matter in the next section of this *Report*.

EDUCATION

As we have suggested above with reference to Bill 101, much of the interest concerning language policy in education has centred this year around the issues of freedom of choice and the educational rights of official-language minority groups. There have also been developments of some significance with respect to second-language instruction which are worthy of comment as well.

1. *Federal and Provincial Discussions: A Stately Gavotte*

The Conference of Premiers held in St. Andrews, New Brunswick, in August 1977 ended in apparent deadlock; with the benefit of hindsight, however, it is possible to conclude that the Conference may foreshadow important changes in attitudes towards the language of education.

During the meeting the Premier of Quebec proposed reciprocity agreements whereby English schools would be opened to children from other provinces in return for guarantees of similar arrangements for French schools in those provinces. The proposal was rejected by the Premiers of the nine English-speaking provinces, but they nevertheless signed a declaration affirming the desirability of offering education in both of Canada's official languages. On their instructions, Ministers of Education have since undertaken a study of the present situation in each province with respect to language of education and will be reporting to the Premiers in February 1978.

Following the events in St. Andrews, the Prime Minister wrote to the ten Premiers to restate his belief that the only way to ensure "permanence and certainty" with respect to the right of Canadians to education in the official language of their choice was to entrench this right in the Constitution. He therefore suggested the inclusion in a Bill of Rights of a clause stating that "in Canada, every Canadian parent has the right to have his or her children receive their schooling in the official language of the parent's choice, wherever the numbers of children for whom one or the other official language is chosen warrant the provision of the necessary facilities". Because such an option would presumably not be acceptable in Quebec, provision was to be made for a clause which would permit that province to opt in at a later date if it so wished.

The Premier of Quebec nevertheless rejected the Prime Minister's proposal in favour of the bilateral agreements he had proposed at St. Andrews, principally on the grounds that entrenching language rights would limit the provinces' jurisdiction and freedom of action with respect to education.

It may well be that the only solution which stands a chance of commanding a reasonable level of acceptance in these circumstances—when both bilateral (reciprocity) agreements and constitutional guarantees have been rejected by one party or another—is a multilateral agreement which would give some solidity and precision to the official-languages minority groups' rights in the field of education. Such an arrangement would have the advantage of stability and consistency over several separate agreements; and whatever political or constitutional disadvantages it might entail, it would at least provide freedom of choice as to language of instruction for a larger segment of parents than is now the case. As such, our Office could only endorse a move in this direction with the least possible delay.¹

¹ At the time of going to press, reports of the Premiers' meeting in Montreal on this subject (February 22-23, 1978) indicate that they agreed on a joint declaration which, while acknowledging the principle of an entitlement to education in the minority language, is too imprecise and too permissive to meet the objective stated above.

2. *The State of Language Education in Canada: Taking French Leave*

Meanwhile, while we observe the stately gavotte and await definitive actions by our provincial and perhaps federal political leaders, it is worth while recording that some modest progress—together with some disturbing setbacks—has been witnessed across the country with respect to both minority language education and second language training.

a) *Minority Language Instruction*

A potpourri of developments across the country: a French unilingual school for grades primary to six will open in the Halifax-Dartmouth area in September 1978; the University of Moncton will offer courses in French at its Law Faculty as of September 1978; the Bathurst Community College offered this year, for the first time, a French-language course in Civil Engineering; Premier Campbell promised there would be classes in French offered to children of francophone parents being transferred to his Province; Alberta permits Francophones to pursue 80% of their schooling in French; Saskatchewan has designated eighteen schools where classes can be taught in French; British Columbia has taken the boldest step so far—as of September 1978, instruction to Francophones will be provided in French from grades one to twelve, where there is a minimum of ten students per class.

These developments are helpful. Unfortunately, they are inadequate. Minority-language education is not in a healthy state in any province except Quebec and, to a degree, New Brunswick and Ontario. Every improvement—even the most minor ones—should therefore be welcomed but a long-term solution will not be achieved until, as we have suggested above, some more solid interprovincial agreements can be reached.

Whether or not the Federal Government is a direct party to any such arrangements, it has a responsibility toward the minority and, in full respect of provincial responsibilities for education, a role to play in helping to improve minority-language schooling. Indeed, this has been recognized in two successive Speeches from the Throne—

in 1976:

... the Government intends to discuss with the provinces arrangements to increase the effectiveness of training in both official languages in the school systems across Canada.

and in 1977:

... the Government will be proposing specific initiatives to be taken in collaboration with the provinces, and exploring ways of assisting the provinces in measures which they propose for ensuring greater availability of education in both official languages to all Canadians.

We understand that patience is a virtue, but the months roll by and we see little evidence of new arrangements or initiatives which would accomplish the objectives set out by the Government. It would be a cruel disappointment for the official-language minority groups if these eloquent words—or those of the St. Andrews declaration—were to bear fruit no more rapidly than in the past.

b) *Second-Language Instruction*

The prospects for improved second-language education across Canada are more encouraging than they have been in recent years. Access to second-language training is available to the majority of children across the country, and from coast to coast parents are becoming increasingly aware of its importance.

A group of concerned parents met, at our invitation, a year ago in Ottawa. Fifty parents from coast to coast came together to discuss ways and means of ensuring that their children receive good-quality instruction in the French language. Their enthusiasm led to the formation of an association called Canadian Parents for French. When they held their founding convention in Ottawa in October, their membership was close to the 2,000 mark. The association elected a national committee which has undertaken research on early and late immersion methods, core programmes, the training of language teachers, and related matters. The dissemination of accumulated research findings will be ensured by a series of newsletters published with financial help from the Secretary of State's Department.

This is all to the good. But there is virtually no limit to what needs to be done in this area, at the secondary level to reduce declining enrolments, and particularly at the primary school level where the effort for genuine individual bilingualism will prove itself or foreshadow the failure of the whole programme.

For those who may think of "early immersion" as a new idea, it may be worth a moment to absorb the reflections of one James Howell, an English tourist who wrote the following *Instructions for Forreine Travell* in 1642:

The first Country that is most requisite to the English to know . . . is France, in regard of . . . the use one shall have of that language wheresoever he passe further: and the younger one goeth to France the better, because of the hardnesse of the accent and pronunciation . . .

As a bow in the direction of language students, young and old, we should add that Mr. Howell was well aware of the frustrations of mastering another tongue—"French . . . will put one often into fits of despaire and passion . . . but the learner must not bee daunted . . ."

Old idea or not, it is clearly one which still has a long way to go in Canada. We must hope, therefore, that the provinces will continue to respond, and respond more quickly, to pressure for increased immersion facilities. We must hope equally that research into the results of immersion courses (of whatever variety—early or late, partial or total) will be made more widely available to parents who are considering this step for their children. It is only through continued efforts in this direction that we can expect to break with unhappy traditions of language teaching which have prevailed for too long in Canada, and to provide real opportunities for our children to master their second official language without any more tears than necessary.

c) *The Role of Secondary Schools and Universities*

While individuals can perhaps maintain a graceful ignorance of the values of second-language training in Canada it is hard to excuse this attitude on the part of secondary schools and universities.

These institutions should reflect on their responsibility to provide their students with the best possible tools with which to enter future careers. At this time, they are doing their student population a great disservice by not insisting on the acquisition of some fluency in the second official language of the country. While enrolment in French at the elementary level is increasing each year (see Appendix D), it has been decreasing at the secondary level since 1970. The blame for this can be laid in part at the door of educational authorities whose idea of intellectual discipline closely resembles William James's "blooming, buzzing confusion". Fortunately, there are some signs that earlier trends in this direction are being reversed, although it is less clear whether second-language instruction will benefit.

The universities must also bear a direct responsibility for having removed a reasonable competence in the second official language as either an entrance requirement or a prerequisite for graduation. As John Harney put it an article in *The Toronto Star* this autumn:

Just as we began to introduce French to our children at an age when it could have an effect, our universities—in what must be their greatest single cop-out in the past 25 years—dropped French as an entrance requirement.

The decision was made overtly on the grounds of practicality, for it was argued that students proceeding into scientific and technological fields had no need for second language training. Part of the reality behind the decision was the new per capita funding of universities set up by the province which put a premium on the number of heads that could be attracted into an institution and less value on what was in them.

The universities' decision combined with freer choice in choosing credits allowed high school students to drop French in droves; French is hard work; communication arts can get you a credit for going to the movies.¹

The fact that enrolment in French at the elementary level is increasing is proof, as we have suggested above, that younger parents are aware of the real need for their children to acquire second-language proficiency. By the time children now in the elementary stream reach the secondary level, it will be nothing short of dereliction of duty on the part of secondary institutions and universities if they are not ready to meet increased needs.

It is important to note in this context that a University of Toronto Task Force has strongly recommended that the University:

... take the lead in imposing an admission requirement of Grade XIII French or its equivalent for all Ontario candidates seeking admission to the Faculty of Arts and Science of the University of Toronto in the fall of 1982 and in subsequent years, and that ... candidates from outside Ontario seeking admission to the Faculty, who do not possess the necessary equivalent, be required to obtain standing ... before graduation.²

This proposal is now under discussion and we understand that other English-language Canadian universities are also examining the possibility of requiring French for admission, or at least for graduation³. We can only express the hope in the strongest terms that this trend—and a parallel development in French-language universities—will take hold across the country. If we really are agreed, as so many different spokesmen have repeatedly told us, that the time and place to learn languages is in the schools, and not in middle age, then let us have done talking and get on with it.

d) Travel and Exchange Programmes

Whatever one's view of the future of our country, we ought to be in accord about the value of interpersonal understanding, particularly among the young. This is surely to endorse motherhood. Parents, young people, governments, everyone agrees with the idea. But who is doing something about it, and in particular how much money are governments prepared to put into it?

For once, an honest assessment is far from being entirely negative. Various programmes such as Open House Canada and the Quebec Student Intra-Exchange programme, to take only two illustrations, are

¹ *The Toronto Star*, September 29, 1977, p. B-4.

² *Report of the Task Force on Canadian Studies and the University of Toronto*, June 1977, p. 4.

³ We learn at press time, in late February 1978, that the Task Force's recommendation was put aside in favour of a vaguer resolution calling on the University to "increase its commitment" in this area. Emerging from the ivory tower into the real world of contemporary Canada is apparently not easy for our universities.

arranging for increasing numbers of young people to meet their opposite numbers of the other language group. This is laudable as far as it goes, but it does not go nearly far enough.

What is required is a much larger dose of vigour and imagination than has been the case thus far. The public authorities at all levels should work together to respond to public interest and to broaden exchanges to encompass, for example, schemes associated with young people's programmes of study that would permit them to spend one or two terms in another language environment during the school year, and camps and hostels that would enable them to do likewise during the summer. Perhaps even more important, exchange programmes should be extended to teachers and professors, from the primary to the post-secondary level, to allow them to work in and appreciate the problems of another area of the country, and where feasible another linguistic milieu. All these programmes should be adequately subsidized by governments in order to avoid discrimination against those who might otherwise not be able to afford them.

Pouring vast amounts of effort into language education by itself will not have the desired effect until we are successful in changing the outlook of Canadian citizens of both language groups towards one another. As long as individuals in Canada cannot accept the fact that another individual is not an idiot because he does not speak his language, real tolerance, compassion and understanding are impossible. Yet the sums invested in exchanges are derisory when compared with the funds still being poured into public service language teaching, not to mention the new bilingualism bonus. The latter, it might be added, at \$30 million a year, would buy a very sizeable number of exchanges and an infinitely greater sum of goodwill and mutual understanding.

A few further words are also in order on the subject of cheaper travel schemes to allow Canadians to get about their country whether or not they are involved in formal exchanges. Our Office has consistently argued in favour of such arrangements as we did most recently before the Air Transport Committee of the Canadian Transport Commission in the autumn, because of the important contribution they could make to break down interregional and intercultural barriers.

The Commission has since announced new regulations permitting Air Canada and CP Air to operate a limited number of Advanced Booking Charters in 1978. We have expressed the view to the Government, as have others, that these regulations will not go far enough to meet the needs of the average Canadian for less expensive air travel within Canada; as they stand now, they provide little encouragement or incentive to Canadians wishing to become better acquainted with their fellow citizens. We have therefore urged that Cabinet reconsider the CTC decision and give more careful consideration to a readily accessible

system of reduced air fares, together with bold initiatives to make travel and accommodation costs within Canada, competitive with foreign vacation packages.¹

e) The "Adult Option"

Finally, we once again urge the Government to extend a helping hand to adults who have missed out on acquiring proficiency in their second official language and who wish to make up for lost time. Correspondence and telephone calls received at our Office show that there is a growing interest throughout the country on the part of adults wishing to be given access to some type of second-language training which will not totally destroy their budget.

Section 60 of the Income Tax Act provides for a tax deduction on fees over \$25 which is applicable to job-related language training. This is a helpful provision, but we have come to wonder whether it is sufficient by itself. Why should not the Government consider direct grants to persons willing to take time and make the effort to acquire some competence in their second official language? After all, if grants to individuals can have a place in fighting the battle to keep from freezing, why should they not be appropriate to help Canadians avoid freezing out their neighbours through inability to communicate with them?

We have said over and over, at every opportunity, that nothing in the Official Languages Act obliges the individual citizen to be bilingual. Only the Federal Government, as a public body, is required to dispense its services in both official languages. However, those Canadians who wish to break down barriers through travel or who have come to realize that proficiency in the second official language would be a positive step toward a more tolerant attitude vis-à-vis their compatriots should in our view receive every possible assistance. To do anything less would make an empty farce of Government policies on national understanding and language reform.

¹ This was the situation at the end of 1977. It was announced on January 19, 1978, that the Government had ordered that the number of ABC's be increased.

PART II

MANAGEMENT PROBLEMS

The reader will perhaps recall that, in our last *Annual Report*, we pointed to certain managerial weaknesses which impede enforcement of the Act. These issues are still of concern. In addition, other matters have been brought to light in the course of our activities and are discussed below.

Last year we also made some suggestions designed to help departments and agencies provide better service to the taxpayer. Similarly, the ideas put forward in the following sections are intended to guide and assist administrators in implementing measures to ensure improved availability of their services in both official languages. These measures should be accompanied, as they are intended, by on-going consultations over the year between this Office and departmental, agency and Crown corporation officials, with a view to removing sources of complaints and providing more adequate service to the public.

1. Language Reform: Squeaky Wheels

Eight years after proclamation of the Act, we find that language reform within the federal administration is still afflicted by a number of fundamental deficiencies, of which the following are illustrative: guidelines, procedures and practices not in keeping with the Act; lack of implementation plans containing clear objectives and deadlines; weak procedures and control systems; and a lack of co-operation and co-ordination among federal, provincial, private and other organizations which encounter similar problems concerning the production of bilingual work instruments.

It is simply unacceptable that, in spite of all the praiseworthy efforts of the past few years, basic management practices concerning official languages should continue in some departments and agencies to frustrate the intent of the Act by prohibiting or impeding the use of one of the two languages or by making the minority carry the burden of language

reform. Communications with headquarters in English only; training programmes in English only; personnel evaluations in English only; medical services in English only—all these are deficiencies which have been observed in the past by our Office and which continue to exist. In each case, of course, there are said to be reasons why those responsible find it difficult to effect the required changes. But unless and until they are achieved, the Act will be honoured more in the breach than in the observance.

Beyond these documented examples of guidelines and procedures which are incompatible with the Act, there are a number of practices traditionally followed by various departments and agencies—vis-à-vis the public and their own employees—which are hardly less questionable. To illustrate, it is not uncommon, particularly where bilingual Francophones are concerned, simply not to offer a service unless the person concerned requests it or even insists upon it. Similarly, lack of significant demand is consistently used as an excuse for not providing service, even when it can be shown that one of the reasons for the lack of demand is the realization by the client that no service is available. Or again, costs are used as a reason for not providing a service, even when funds can be found for all manner of trivial activities that appeal to enterprising bureaucrats. Some of these shortcomings are not in keeping with the spirit of the Act, to say the least, and all of them reflect an attitude which is inconsistent with the equality of status of the two official languages approved by Parliament.

The new Treasury Board directives on official languages require federal institutions to prepare departmental plans for the implementation of the official languages policy. This will undoubtedly help to make language reform more concrete, more measurable, and consequently easier to monitor effectively. Our Office will pay particular attention to the objectives which institutions establish for themselves and to the deadlines which they set for meeting their goals, in order to ensure that the pace and character of reform meet reasonable standards and reflect sound management principles.

Almost all the studies conducted by our Office reveal that institutions do not exercise effective control procedures or carefully supervise the implementation of language requirements in their respective fields. This may reflect in part a lack of adequate management information systems in the area of official languages policy. Yet the need for correct, up-to-date information at all times should be as obvious in this area, especially in view of its complexity, as it is with respect to all other departmental operations.

Co-operation (among federal institutions and with various provincial or private organizations which have similar requirements) could lead to a significant reduction in costs and duplicated effort, and substantially

quicken production of adequate work instruments in both official languages. Special efforts should therefore be made to initiate a workable system of multilateral co-operation among interested institutions. For example, why could the few federal institutions responsible for preparing medical texts not co-operate with provincial departments that have similar needs or with universities and specialized groups or organizations? Indeed, co-operation might even be international in certain cases, for example, in the preparation of French manuals dealing with aircraft maintenance. These opportunities have often been overlooked in the past to the disadvantage of all concerned.

The reader will doubtless appreciate that the difficulties outlined above are no more than a partial list, included here for the sake of illustration. We have omitted, for example, a detailed discussion of language training and language retention, not, need we say, because they are no longer a problem, but because the Government has very recently promised to try to put that particular house in order, and should be given time to do so.

Similarly, difficulties involved in French-language publications and recruitment of French-speaking officers in scientific and technical areas of government were dealt with at some length in our last *Annual Report*. The reader will not be surprised to learn that they have not disappeared in the intervening year. On the contrary, with the passage of time, they appear to us to represent an increasingly difficult problem, and one to which sufficient attention is not paid despite much goodwill and even more fine words.

We suggest, and propose to pursue this suggestion in the coming year, an across-the-board approach in both cases. By this we mean that all scientific and technical departments and agencies, including those which are separate employers should be invited to sit down with representatives of the Public Service Commission and the Treasury Board—and of this Office if we can be of assistance—to try to develop a concerted plan for raising the deplorably low percentage of francophone scientists and technicians in government. Similarly, we propose to follow up on our recommendation that interested departments and agencies meet together—again with our assistance if they wish—to try to decide once and for all what categories of publication should be put out in both official languages, in a manner that would be in keeping with the Official Languages Act and with common sense.

Before passing to more detailed matters, we might again offer the observation that virtually all the shortcomings reviewed above, as well as many of those that will appear in the assessments of individual departments and agencies below, result from a fundamental weakness identified at the outset of our *Report*: senior management simply does not give language reform the priority which Parliament and the Government have

attributed to it. Goodwill and even a sincere belief in the policy is not lacking among Deputy Ministers or Heads of agencies. That is not the problem. The problem is that action too often ends there, with goodwill, instead of being translated into vigorous management practices and careful monitoring mechanisms.

We understand that government institutions have been reminded on occasion of certain failings, not to say outright carelessness, in the area of financial management and control. With due respect for the many differences involved, we submit that the same carelessness can be detected in the management of language reform; and we also submit that the results will be the same unless a much more responsible attitude is adopted at the highest levels of the Public Service. As we have suggested, the new Treasury Board directives will provide the mechanisms required for departments and agencies to manage their own affairs more carefully in this area. But they cannot be a substitute for continued vigilance on the part of senior management, without which public service language reform is hardly likely to succeed.

2. *Electronic Data Processing: Deus Ex Machina*

Given the dominance of English, or rather American, in electronic data processing (EDP), to what extent can federal organizations allow both French- and English-speakers to work in the official language of their choice in this field? The question is a highly interesting one both technically and socially, for in perhaps no other area has the challenge of operating bilingually been so intensely felt as in the EDP field. Masses of documentation, much of it highly technical and constantly undergoing revision, where errors can occasion tremendous costs: such is the environment of the data processing world. What possibilities exist for changing this environment so that a Francophone can work in his own language?

A recent Treasury Board study entitled *Electronic Data Processing in a Bilingual Environment* tackled this question and tried to develop solutions to a problem that involves a growing number of departments each year. The authors of the study sought information from a variety of sources, including computer manufacturers, terminal equipment suppliers, software suppliers, service bureaux and training institutions as well as some 30 or so federal government departments. Discussions were also held with the public services of Quebec and France. The report examines the role played by the principal participants in the field, that is, the ultimate users, systems analysts and programmers, and operations personnel, and assesses the degree to which French can be used as a language of work by each group.

For the user or client there are relatively few constraints to choosing French. Choices are generally within the control of departments, and

much has already been done to ensure that the client is served in the language of his choice. However, in some cases, printouts are not always bilingual, and therefore not readily usable by a French-speaking clientele. The study recommends that efforts to improve the situation be continued and that products destined for users be bilingual.

The opportunity for systems analysts, programmers and operations personnel to work in French involves quite different factors, and generally speaking leads to more serious problems. These people are obliged to work with voluminous English-language documentation from American suppliers and some manuals have up to 50% of their pages revised annually. The study does not recommend translation of manuals which it concludes "would be a very expensive, and probably useless, academic exercise".

This situation will not likely change in the near future. Some suppliers provide basic manuals in French, but generally the demand is not sufficient to persuade them to extend these offerings. Since the Canadian Government comprises a mere 0.3% of the total North American market, the possibility of exerting pressure is slim. Systems analysts and programmers will therefore continue to require a good reading knowledge of technical English for the EDP field. However, data preparation people work with internally prepared manuals, and the study recommends that these be bilingual. It also suggests that the Department of Supply and Services play a more active co-ordinating role, develop Canadian standards and ensure that French material is obtained whenever it is available.

Although the ability to work in English is required of systems analysts and programmers, to what extent can they also perform their duties in French or in both languages? The study found that the language regime varied according to the working environment or organization in question. For larger systems, where several individuals participate in various phases of development, it is necessary to choose *one* language for uniformity of expression. Nothing precludes that choice being French, provided of course that all those participating in the project are competent in that language. It is not feasible to rely on translation, given the high degree of responsiveness necessary and the shortage of translators experienced in EDP. The study therefore recommends the creation of French-language project teams. Such an approach would allow French to be freely used in the development and programming of individual systems, with English being used as required for reading and for contacts outside the project.

Training procedures are also examined in the light of their impact on work practices. The experience of this Office confirms the obvious truth that people often tend to be more at ease in the language in which they have been trained, even if it is not their mother tongue. In the EDP field,

courses have been developed in French at most levels but Francophones have tended to take courses in English. The reasons for this state of affairs are several, the most important being the preference of individuals for courses in the language in which they work and a deeply embedded tradition equating the EDP field with the use of English. Increased awareness and a more widespread use of both official languages may change this pattern. The study recommends that the Bureau of Staff Development and Training review the situation and investigate the possibility of cooperating more closely with francophone universities and CEGEPs.

In the view of this Office, the study merits consideration by all those involved in the EDP field and by organizations whose activities have an impact on the EDP environment. Our experience has shown that awareness of problems and innovative action often determine the outcome of a programme. Both these will be necessary if French, despite the dominance of English, is to be freely used in EDP as a language of work in the Federal Government.

It is the intention of Treasury Board and this Office to give special attention to departments' proposals for action in the field of EDP which departments are to submit as part of their official languages plans by the end of this fiscal year. We hope to be in a position to report progress in our 1978 *Annual Report*.

3. *Translation: A Word to the Wise*

In order to meet the requirements of the Official Languages Act, federal institutions must make documents available in both official languages and provide simultaneous interpretation as required. Translators, and more particularly the Translation Bureau of the Secretary of State's Department, evidently play an important role in providing this service. Yet more than 30 years after the creation of the Bureau, and 10 years after the publication of *Regulations* concerning translation services, many federal institutions either disregard or do not fully respect these *Regulations* simply because they do not understand what translation is all about.

In 1977, the Bureau received requests for translation totalling some 300 million words. As of March 31, 1977, it had over 1,800 employees, among them more than 1,260 translators, interpreters and terminologists, and its estimates for 1977-78 amount to some \$46 million for translation into French and English. In other words, translation is Big Business, and the taxpayer is entitled to know whether he is getting his money's worth.

As far as we can determine he often is not, and largely because a number of simple rules of thumb are ignored. Departments would do

well, for example, to consider the following questions *before* sending a document to translation:

- Need the document be translated at all? Directors should certainly avoid the practice of having *all* incoming correspondence translated, regardless of content, origin and priority. Attention to the intended recipient is also relevant, especially if he is a bilingual bonusman. We have documented in our special studies altogether too many instances of inexcusable waste by departments which should have the capability of dealing with material in the language in which it is received. We have even heard of instances where reports and articles have been translated afresh when a translation already existed or where whole portions of updated annual reports have been sent for translation anew when only a sentence or two had been changed.
- If the document must be translated, is an *official* translation necessary? Or in appropriate cases, could the text not be co-drafted so as to have two original versions, English and French, available without the need for translation? The concept of co-drafting of documents is neither well-known nor well-received in most departments, and the Translation Bureau must share part of the responsibility as it has made little attempt to discuss the matter with departments despite a recommendation to this effect in our 1976 Special Study of the Bureau.
- If an official translation is needed, how may it be efficiently provided with the least possible waste of time and effort by both the client and the Bureau? One answer might be more careful planning. Federal institutions seem to have forgotten that translation is a normal and integral part of the process of producing a government document. No one prepares a paper for public distribution without taking into account the time needed for printing. Why not do the same for translation?

The result of lack of foresight in all these areas is that departments frequently fail to allow enough time for the translation of texts or, on occasion, insist on urgent translations when no urgency is apparent. They have even been known to divide long texts into several shorter parts in the mistaken belief that these will be translated more quickly because they are shorter. Only careful and continuing monitoring of the translation activity at a senior level is likely to do away with wasteful practices of this kind.

In addition, very few departments provide useful basic documentation with their texts and, in the case of scientific and technical documents, they seldom send a first draft to help with research on the specialized terminology needed.

These two shortcomings (unreasonable deadlines and lack of basic documentation) are often attributable to the fact that many departments have not named a departmental co-ordinator for translation, responsible for liaison with the Translation Bureau. And when there is a departmental co-ordinator, he or she often turns out to be someone with no knowledge of the department's internal operations or no authority to co-ordinate requirements or set translation priorities.

Beyond improvements in the management of translation practices within departments, it is our belief that the Bureau itself must bear some responsibility for current shortcomings. It should inform departments of their obligations when they submit texts for translation and not be reluctant to return texts which are badly written or devoid of supporting documentation. In other words, stricter insistence by the Bureau itself that the *Regulations* be observed might lead to increased efficiency in translation, with consequent savings.

It is also important that the Bureau and its more important clients learn to co-operate more effectively with one another. Failing such collaboration, the result can only be wasteful slanging matches in which departments blame the Bureau for not knowing its business and the Bureau claims that departments have no idea of what working in two languages is all about.

In short, we are convinced that the taxpayer could be getting better value for his translation dollar. A careful audit of the translation policies and activities of a representative group of departments would be a helpful start in this direction, and we intend to give such a study a high priority.

4. *The Francophone Minority Press: Forgotten Ones*

Studies conducted each year by our Office invariably reveal the extent to which newspapers and periodicals serving francophone communities across Canada are neglected by federal agencies. The purpose of federal announcements and advertisements is, after all, to communicate with Canadians. To respect the Official Languages Act, this must be done in both official languages. Where there are no French-language dailies, the only alternative is quite evidently the weekly or periodical French-language press. Yet, the systematic use of these papers and periodicals is far from being a fact of life for most federal agencies. As a result, francophone communities are very often not informed, in their own language, of programmes and projects planned by federal institutions or of federal services available across Canada or even in their particular region.

Current practice all too often seems to dictate that daily newspapers should be the principal means of informing members of the public or

providing services to them. It is well-known that only two French-language dailies are published outside Quebec—*Le Droit* in Ottawa and *L'Évangéline* in Moncton—and current practice therefore severely limits the prospects of reaching the official-language minority in French. Moreover, we have discovered to our surprise that, despite the role played by *L'Évangéline* in New Brunswick, federal departments do not always use this paper to disseminate information to the public.

If the only French-language daily newspaper in the Maritimes is being neglected, what can one expect when it comes to weeklies? Several French-language weeklies are published in New Brunswick and Ontario, and almost all the other provinces have one as well. Unfortunately, however useful they may be to the communities they serve, they still seem to escape the attention of many federal departments and agencies.

Let us hope the point has been rubbed in sufficiently. A careful selection of daily and weekly newspapers is obviously important in providing adequate information and services to the public. The language spoken by potential readers is an equally obvious consideration. Putting two and two together should therefore lead federal agencies to use the French- as well as the English-language press. That we should seem somewhat testy about the matter is perhaps not surprising given the number of times that it has been brought to the attention of public service managers. We can only add the suggestion that a clear and unequivocal directive in this sense be issued by the Treasury Board, and that all departments and agencies be held accountable for living up to it.

5. *Contract Services: Is the Labourer Worthy of His Hire?*

It will come as no surprise to the reader that a number of services to the public are provided by agencies under contract to the Government, rather than by the Government itself. These agencies fulfill an important role as intermediaries between the Government and the public, and the language in which they serve the taxpayer must therefore be of concern to us.

It is the responsibility of federal institutions to ensure that members of the public can communicate with them in their preferred official language. In cases where service is offered through intermediaries, such as advisers, consultants, or business firms under contract to the Government, these requirements cannot be put to one side. In awarding contracts, federal institutions must consequently specify the language requirements to be met by those responsible for providing services to, or communicating with, the public.

At the level of generalities it is hard to fault these requirements. As is always the case, however, the practical aspects of the matter are

considerably more complicated. It would be bordering on the ridiculous, for example, to require every individual offering a service to the public, who happens to rent space in a government building (and therefore is in a contractual relationship with the Government), to provide service in both official languages. This might well make for a greater number of bilingual dentists or hairdressers, but it would leave a number of people with their noses quite rightly out of joint, and it might well bring the whole official languages programme into disrepute.

The answer, again obviously, is to be realistic. To illustrate, service in both languages is clearly essential where a concession amounting to a monopoly has been granted to an individual or firm whose whole purpose is to serve the public at large in a bilingual area. Examples might be a sightseeing or boat-rental service provided on behalf of a government agency. But there will always be grey areas, and the requirements in such cases can only be worked out in careful consultation with government managers and, we would hope, potential clients. The point—which regrettably is often not recognized by the federal authorities—is that they must be as sensitive to the linguistic side of their contractors' activities as they would to any other aspect of providing good service to the public.

ASSESSMENT OF INSTITUTIONS

The following pages offer an assessment of the performance of all departments and of major agencies in frequent contact with the public. Our comments are based on evidence gathered from complaints and special studies as well as from contacts with responsible officials in the departments and agencies concerned. In some instances, the available information is fragmentary or is not sufficient to justify detailed comment. In future years, we will rely on audits to complete our data.

Statistics on complaints and the list of special studies undertaken will be found in the appendices.

AGRICULTURE

The special study completed in 1976 covered both language of service and language of work and resulted in the formulation of 30 recommendations.

During the limited time available since the study, the Department has made some progress with respect to the development of official languages guidelines and implementation plans; language requirements of positions; translation; and professional and technical training. Reception services, signs, written communications, public relations, and various internal services have also received some attention.

There is much room for improvement, however. The Department still has a considerable distance to go both with respect to services it provides to the public and its own internal communications and services. This is particularly true of the preparation of technical publications in both official languages, a matter which has been under study for some time.

The Department's co-operation in settling complaints has been good. Fourteen complaints (eight of which were filed in 1977) were settled during the past year. They concerned publications, memoranda, telephone answering services, the identification of Experimental Farm plants, and development courses in English for French-speaking employees. In some instances, the Department undertook more extensive investigations than the complaints in themselves called for, in order to take broader corrective measures.

AIR CANADA

Air Canada is one of the most visible federal institutions vis-à-vis a readily identifiable sector of the Canadian population, the travelling public. As such, its obligation to meet the letter and spirit of the Official Languages Act is of particular significance. Accordingly, it is all the more regrettable to have to report once again that, despite considerable goodwill on the part of senior management and despite real advances in some areas, the Corporation continues to be unable to serve the public adequately in both languages. This fact is apparent from all our contacts with the Corporation, and particularly from the results of, and reaction to, the studies and complaints discussed below.

Between 1970 and 1972, four studies were conducted with respect to language of service at Air Canada offices in Ottawa, London and Paris, Moncton, and at Headquarters. In 1976, our Office undertook another study focussing on the language of work at the Montreal Reservations Bureau and the Maintenance Branch (Dorval Base). This study also examined matters related to the language of work at Headquarters and in the Eastern Region (Province of Quebec, Atlantic provinces, and the Ottawa district).

With respect to language of service in Ottawa, Air Canada's efforts have been concentrated primarily on improving the linguistic capability of its personnel through language training. However, numerous complaints regarding procedures which should have been set right long ago—especially in the national capital—attest to the fact that considerable progress still needs to be made with regard to the provision of services at the reservations bureau and at the airport.

In London and in Paris, the Corporation has ensured that its signs and telephone listings are printed in both official languages. The number

of bilingual passenger agents has increased at Heathrow. However, there are still deficiencies with regard to information and promotion material as well as telephone services.

In the case of Moncton, recommendations concerning signage, printed material and service contracts have been complied with. Problems still exist, however, with respect to verbal communications with the public.

Progress has been noted with respect to recommendations made following a study of services provided through or by Headquarters. For example, the Corporation has integrated official-language considerations into the formulation of its objectives, accepted the existence of a demand for services from both official-languages groups across the country, and improved its language training programmes. Nevertheless, it has yet to find adequate solutions to problems related to the provision of face-to-face services at reservation bureaux, at airports, and on-board flights. In all these areas, but particularly with respect to certain on-board announcements (for example, routine comments by pilots), one is left to wonder whether any serious effort has been made to incorporate official-languages requirements into the standardized procedures laid down by corporate management.

Since receiving our reports, the Corporation has had little time to take action on the 172 recommendations made in the first (Montreal Reservations Bureau and the Maintenance Branch at Dorval) and second (Headquarters and the Eastern Region) parts of the 1976 study on language of work. However, although much still remains to be done, the Corporation's recent follow-up report indicates that it has advanced in a number of areas.

The Montreal Reservations Bureau has made notable headway on almost all fronts—forms, bulletins, training and development courses for Montreal reservations staff, translation of instructional material, and greater encouragement of the use of both official languages for internal communications and particularly for communications between supervisors and staff. It has also developed and put into effect a French version of its Display Reference Information System (a computer terminal system which provides employees with easy access to information which they need in the course of their work).

Although the Maintenance Branch at Dorval has also moved in the right direction, it has done so at a considerably slower pace. It now publishes all forms and internal administration manuals in both official languages, and provides fire prevention and first aid courses in French as well as in English. According to our information, however, efforts are still needed with regard to certain labour relations services, correspondence and documents of a personnel or administrative nature, the linguistic capability of incumbents of certain supervisory positions, and staffing procedures.

As a general rule, Headquarters and the Eastern Region have also been rather slow to take action. Some progress was, however, noted in the following areas: certain aspects of manpower planning and recruitment; liaison in the appropriate language with educational institutions, the private sector and job candidates; bilingual competitions, promotion and appeal notices; library services and public affairs. There is much to be done, however, with respect to operational communications, auxiliary services and manuals, flight operation services, in-flight services, and personnel development.

Of 85 complaints lodged against the Corporation in 1977, 44 were settled before the end of the year, along with another 51 left over from previous years. This left over 50 complaints still unresolved at the end of the year.

Whereas 1976 was marked by an increase in complaints related to language of work, 1977 saw a return to past failings: unilingual English service at ticket counters, at check-in counters, at boarding gates, at security check points, and on aircraft; unilingual English telephone service; unilingual English announcements, both on the ground and in the air; and so on. While many of these complaints were settled, and while it is to the Corporation's credit that concrete attempts have been and are being made to come to grips with the language-of-service issue, the overall question of Air Canada's ability to serve the public in both official languages remains. The situation at Ottawa International Airport is particularly sensitive and must be improved.

ANTI-INFLATION BOARD

Although the life of the Board has been short, it has been relatively animated on the linguistic front. In its early days the Board had some difficulty in dealing with the matter of language of work, but it responded well in taking the necessary corrective measures.

In 1977, matters relating to language of service were more in evidence, and the Board experienced some problems having to do with correspondence, publications and telephone contacts. Nevertheless, it displayed an excellent spirit of co-operation in settling within the year the six complaints received in 1977.

AUDITOR GENERAL

In 1977, our Office received only one complaint concerning the Auditor General's Office. The problem was settled with speed and panache; it took but a day to grant employees the right to complete their time-sheets in French.

Two unsettled complaints dealing with unilingual memoranda are being examined within the context of a special study of the Auditor General's Office which was undertaken in 1977. This study focusses on the manner in which the Auditor General's Office is implementing the Act vis-à-vis its special clientele and the opportunities it affords to its staff to work in their preferred official language.

The study team conducted some one hundred interviews—about 60 in Ottawa and the rest at regional offices in Halifax, Montreal and Toronto. The information-gathering stage of our linguistic audit was completed in November and the study team had set about writing the report by the end of the year. The Commissioner's next *Annual Report* will contain a summary of the findings as well as recommendations covering language of service and language of work.

CANADA LABOUR RELATIONS BOARD

A year has passed since this Office presented the Canada Labour Relations Board with a report and recommendations following the special study undertaken in 1976. During this time, the Board has improved its performance with regard to both the language of service and the language of work, and has made encouraging efforts to resolve some of the problems which led to our recommendations. For example, notices of hearings now indicate clearly that the Board's services are available in both official languages, and central, auxiliary and library services have become increasingly available in French as well.

The Board has also undertaken the revision of its official languages policy and the formulation of an implementation programme. To ensure fuller compliance with the Act, it should adopt the same approach to its remaining linguistic problems. This is particularly true of areas such as job-related language training, the dissemination of information on language courses, and the provision of in-house professional development and training in both official languages—areas where minimal action has been taken, according to the Board's recent follow-up report to this Office.

We are pleased to report that no complaints have ever been received concerning the Canada Labour Relations Board.

CANADIAN BROADCASTING CORPORATION

The Commissioner made 64 recommendations to the Canadian Broadcasting Corporation following a 1975 special study. The information included in the Corporation's recent follow-up report (which incidentally was more complete than last year's effort) indicates that it is making serious efforts to provide its services to both linguistic communi-

ties as required by its own Broadcasting Act as well as by the Official Languages Act. To illustrate, public events (such as the CBC Talent Festival, Camp Fortune, National Auditions and the 1978 National CBC Festival) are now advertised in both official languages; and steps have been taken to extend French FM services in Canada as well as short-wave services in both official languages to Armed Forces personnel overseas.

The Corporation also reports that it has made progress with respect to certain problems relating to language of work. Although there are occasional exceptions, personnel, training and development services are generally available in both official languages. Moreover, the inclusion of French radio and television stations in Moncton within the French network has done much to improve the language-of-work situation of the staff involved.

The Corporation is experiencing difficulties ensuring that services (such as security, parking lot and cafeteria services) offered by firms under contract are provided where necessary in both official languages. It is also encountering various problems with respect to the identification of the linguistic requirements of its positions.

Despite progress made in a number of important areas, the Corporation's full compliance with the Official Languages Act is seriously hampered by its lack of guidelines, implementation plans and monitoring systems, as well as by its slowness to inform its staff adequately of their rights and responsibilities under the Act.

With 21 complaints lodged against it and 28 settled during the year (16 of these were outstanding from previous years), the CBC is not necessarily a loser. Its co-operation, however, is not always exemplary. It is unfortunate that one must always insist in order to obtain information required to resolve complaints. This is all the more regrettable in the light of the CBC's often excellent performance in promoting the equality of both official languages in broadcasting.

CANADIAN INTERNATIONAL DEVELOPMENT AGENCY

Thirty-three recommendations were made following a study of the Canadian International Development Agency which was completed in 1975. Since that time, CIDA has endeavoured to solve various problems related to language of service and language of work. It has increased the number of bilingual individuals in supervisory and specialized positions requiring competence in both official languages; developed language training and retention programmes; integrated official languages questions into its recruitment and manpower planning; and taken steps to ensure that financial and administrative services as well as professional and technical training are available to its staff in both official languages. All in all, CIDA's accomplishments are noteworthy.

Although slow in starting, CIDA has finally made serious efforts to complete an official languages policy and implementation plan, both of which should be ready soon. Further progress needs to be made, however, with regard to monitoring and control procedures, manuals, and the use of both official languages for internal communications. In this context, CIDA has yet to examine its contacts with federal institutions and other organizations which provide services to CIDA staff, or which co-operate with CIDA in providing services to the public, in order to encourage them to provide these services in the appropriate official language. For example, some organizations under contract to CIDA have assigned individuals with competence in only one official language to projects in countries where the other official language is used. Federal institutions have also assigned unilingual English-speaking individuals to liaise with personnel in CIDA's two large French-speaking units. In all such cases, a discussion of problems and possible solutions with the institutions concerned could do much to improve the situation with respect to both language of service and language of work.

The fact that Francophones and Anglophones are almost equally represented in CIDA provides the Agency with an almost unparalleled opportunity to demonstrate that the two official languages can become equally viable languages of work when certain necessary conditions are met. The Agency's policy and implementation plan will be helpful in meeting this objective as well as in establishing traditions which encourage staff to use their own language as a matter of course when writing their internal reports or other documents.

Only two complaints were lodged against the Agency in 1977. Both were settled promptly.

CANADIAN NATIONAL

During the period which has elapsed since our special study of the language of service in the CN system, the Company has formulated its objectives with respect to official languages and has developed an implementation plan and an information programme. It has also done much to improve the bilingualism of its services to the public. To give only a few illustrations, it has distributed its publications in both official languages; inserted clauses regarding services in both languages in contracts signed with concessionaires; provided its employees with language training opportunities and translation services; and ensured, by inserting a special number for French enquiries in directories across Canada, that the French-speaking public can obtain telephone services in its own language.

Canadian National should, however, broaden its concept of demand for service in both official languages on the part of the travelling public.

It must also intensify its efforts to inform the public of its right to be served in either official language and to ensure that services are available in both official languages at its hotels, in its offices, and in railway stations as well as on board trains. In addition, more needs to be done to ensure that publicity is adapted to the needs of both linguistic groups, that announcements are made in both languages in railway stations and, finally, that language standards are high enough to enable designated personnel to fulfil their responsibilities under the Act.

In 1976, the Commissioner's Office conducted a study of the language of work in railway operations in the St. Lawrence Region. During 1977, Canadian National managed to revise and improve upon the language of work aspects of its official languages policy, and to settle certain problems concerning internal services provided by the CN to its own staff as well as communications between regional components and Headquarters. Progress has also been made with respect to the Region's implementation plan and information programme on official languages, the provision of support services in both official languages, and the use of the two languages for signs, data processing and manuals.

There is still a substantial need for improvement: an adequate system for monitoring the implementation of the Act has to be developed; the bilingual capability of headquarters has to be increased; and professional and technical training has to be made available in both official languages so that staff from either linguistic group can have opportunities to train in their own language.

Of the 47 complaints received against the CN this year, 28 have been settled and many of the remainder are close to settlement.

In general, co-operation has been good for the simpler complaints, with the Corporation taking the necessary corrective measures rapidly. However, results have been less positive with regard to more complex complaints about telecommunications and service on trains. The CN's performance is particularly disappointing with regard to telecommunications, and complaints concerning the slowness of service in French continue to accumulate. However, the CN undertook an investigation of this matter in the autumn of 1977 and there is reason to think this will lead to improvements.

One of the CN's main difficulties with respect to service to the public appears to be a clause in its union agreements relating to seniority which often prevents it from assigning bilingual employees in sufficient numbers to strategic spots. The Company and union representatives should examine such clauses attentively at the next round of negotiations in the light of their relationship to the requirements of the Official Languages Act.

CANADIAN RADIO-TELEVISION AND TELECOMMUNICATIONS COMMISSION

So far as complaints are concerned, this seems to have been a good year for the Canadian Radio-Television and Telecommunications Commission (CRTC): we received only one complaint against it, compared to nine in 1976. The sole complaint took exception to the fact that transcripts of hearings were not available in French. Since nine months were allowed to go by before we obtained a satisfactory answer for the complainant, it seems likely that management procedures for handling complaints could be improved considerably.

Four complaints outstanding from last year were also settled. Two concerned New Brunswick and centred, respectively, on the poor quality of French used by radio and television stations, and on the setting up of a second English-language television network in the northern part of the province. The remaining two drew attention to 1) the fact that, at the request of the Commission, a Montreal radio station was now broadcasting only in English (the Commission stated that in its opinion unilingual listeners, English or French, are entitled to service wholly in their own language), and 2) that Bell Canada distributed a unilingual English notice concerning rate increases in the Toronto region (the Commission informed Bell Canada that, in future, notices bearing the letter-head of the CRTC must be published everywhere in both official languages).

In general terms, the CRTC is clearly resolved to serve the public in both official languages. Notices of public hearings and decisions are published in both official languages and simultaneous translation has traditionally been available at public hearings, wherever held. The record in this area is an enviable one which many departments and agencies would do well to emulate.

CANADIAN TRANSPORT COMMISSION

The special study conducted in 1974 concerned language of service and language of work; it gave rise to 23 recommendations. During the past year, the Commission has improved to some extent on its previously passive attitude towards putting the recommendations into effect. It took preliminary steps toward having its research reports translated into French, and increased the number of bilingual staff. On the other hand, the Commission has been slow in preparing a policy statement on official languages, in setting its objectives, and in improving the situation with respect to language of work. The timely intervention last December by the President of the Commission has, however, had favourable repercussions, the effects of which, it is hoped, will be felt for some time to come.

The Commission cannot yet communicate both orally and in writing as a matter of course in the appropriate official language when dealing with the public. There has been little action to improve opportunities for the use of French as a language of work and the Commission has not established any groups in which French could be used as a working language. Furthermore, internal documentation is not yet available in both official languages and problems still exist with respect to communications between headquarters and the Quebec regional office and vice-versa.

On the other hand, only three complaints were lodged against the Canadian Transport Commission in 1977. These three complaints, as well as another one which was received in 1976, remain unresolved. Complainants took exception to the fact that the French text on signboards at railway crossings was incorrect and that such signboards were required to be in both French and English in Quebec only. At the heart of the matter is the need to amend the Railway Act, evidently a very lengthy process.

CENTRAL MORTGAGE AND HOUSING CORPORATION

Central Mortgage and Housing Corporation has a certain enviable autonomy, and it takes advantage of this situation to launch out in new directions. By conducting all its own language training, it has been able to take the initiative in developing course content designed to give its student-employees an immediate introduction to the language current in their work environment. Equally flexible is its approach to defining, designating and establishing second-language levels for its bilingual positions.

CMHC has a highly public profile, and more than half its positions require second-language skills. Its corporate image seems relatively untarnished, since the Commissioner received only three complaints concerning the Corporation in 1977. Two of these were settled quickly and it is reasonable to assume that the third, lodged in December, will receive the same rapid attention.

COMMUNICATIONS

The Department's systematic approach to the implementation of 37 recommendations made following a 1976 special study has produced tangible results. The Department has improved its monitoring procedures and taken administrative measures to provide services in both official languages in cases where incumbents of key positions were unilingual. It has also solved problems connected with correspondence, increased its level of institutional bilingualism at Headquarters, produced all its basic

work instruments in both official languages, and made auxiliary, support and technical services available to its staff in French as well as in English.

Progress has also been made with regard to the Department's official languages policy and implementation plan which are in the final stages of preparation and which should shortly be available for distribution. Francophone participation in the activities of the Department has been assessed and a comprehensive list of ideas for action is being considered. The assignment of responsibilities for implementing the Act has been reconsidered with a view to increasing efficiency. In addition, a number of other questions are also being dealt with: signs, directories, telephone listings and forms; information services; internal use of the French language; library services and training and development.

The Department settled promptly and satisfactorily the eight complaints this Office brought to its attention in 1977. Its official languages objectives and the serious efforts it is making, as well as the improved monitoring procedures that have been put into place, will without doubt lead to the eradication of most of the remaining problems.

CONSUMER AND CORPORATE AFFAIRS

A special study report sent to the Department in October 1975 contained 37 recommendations. Since that time, it has made progress in a number of areas. It has revised its policy on official languages and improved its implementation plan and staff information programme. In addition, it has not only improved its performance with respect to correspondence, internal services and training provided to its staff but also given greater attention to the use of both languages at international meetings.

Nevertheless, there is still room for substantial improvement in the following areas: the preparation of implementation plans and monitoring procedures; the accessibility and quality of services provided in both official languages; exhibitions; use of the media of both language communities; and various matters related to the use of both official languages as languages of work. The Department needs to make special efforts to ensure that its regional or local offices provide their services in the appropriate language to members of both linguistic communities. In short, Consumer and Corporate Affairs should accelerate its reform and tackle the problems outlined above with greater energy and resourcefulness.

In the course of the year, the Department has resolved six complaints which touched, in particular, on the poor quality of the French used in a Bill submitted to Parliament, on internal communications and the language of work, as well as on telephone reception services. In most

cases, the Department has shown a good spirit of collaboration and has found satisfactory solutions to the problems raised by our Office.

EMPLOYMENT AND IMMIGRATION COMMISSION

During the year under review, the Department of Manpower and Immigration and the Unemployment Insurance Commission came together to become the Canada Employment and Immigration Commission. Twenty-two complaints were lodged against the new Commission in 1977. It acted on them with the same promptness and skill that was characteristic of both institutions before amalgamation.

Manpower and Immigration

The Department still has problems integrating the requirements of the Act into certain of its operations. This is particularly evident with the special programmes that the Department has a mandate to administer, for example, those relating to jobs for students, "Canada At Work", local initiatives, youth programmes, etc. It is above all in locations such as Moncton, Halifax or Windsor, at offices responsible for serving sizeable French-speaking minorities, that this inability to integrate the linguistic dimension into the formulation stages of special programmes has been the most visible.

Although we received excellent co-operation in settling 36 complaints during the year, they are nevertheless evidence of weakness in the Department's day-to-day operations which call for continuing scrutiny by senior management.

Unemployment Insurance Commission

In 1973, our Office made 15 recommendations covering various aspects of language of service (e.g., with respect to correspondence, reception services, public relations, the work of Boards of Referees, etc.). Since that time, the Commission has been working methodically on these recommendations and has achieved a fairly high degree of compliance with them. For example, it has reported that it now has a sufficient number of bilingual Boards across the country to enable clients to be heard in the official language of their choice. It has also maintained a computerized record of the demand for service in each language at each of its offices and uses this record as a guide in the deployment of its linguistic resources. In addition, the Commission has encouraged its employees to take mother-tongue and second-language courses in order to upgrade their skills and improve their capacity to serve the public.

The Commission reacted quickly and satisfactorily to the 15 complaints lodged against it in 1977 and deserves to be praised for its performance in settling these matters. One complaint was unfounded and two did not involve a contravention of the Act, but those which were well-founded revealed that there is still considerable room for improvement with regard to the quality of written communications with clients, telephone reception, signs and notices and certain other services to the public. Deficiencies are in some measure due to the fact that the Commission's bilingual capability is rather thinly spread in areas, such as southern Ontario, which have a significant French-speaking minority.

We believe that it will be useful to look at the Commission again to see how it fares linguistically under the new organization in which it forms part of the Canada Employment and Immigration Commission.

ENERGY, MINES AND RESOURCES

Fifteen complaints against the Department of Energy, Mines and Resources (EMR) were received in 1977. Eleven (eight of these plus three complaints from past years, one of which dates as far back as December 1974) were settled.

It is to be noted that the Department has succeeded in its painstaking efforts to develop an official languages policy and related practices touching on the preparation of topographic and smaller-scale maps. In addition, the Department took action to permit bilingual computer communication at the Computer Science Centre.

It is, however, regrettable that little progress has yet been made in the field of publications. The Department continues to encounter considerable difficulties in establishing a policy and in producing texts in both official languages for its scientific and technical publications. The question of publications issued under the Government's co-publishing programme arose during the year. This programme, which involves a combined effort by private publishers and federal departments, was interpreted by EMR as being outside the purview of the Official Languages Act. Discussions with the Department of Supply and Services, which is responsible for administering the programme, confirmed the Commissioner's view that such publications could not be seen as anything but government publications and were therefore subject to the Act.

A further difficulty in the publications context involves departmental listings in the *Daily Checklist of Canadian Government Publications*, issued by the Department of Supply and Services. The latter Department is responsible for the Checklist but claims the information is provided by the departments concerned. Frequently, no mention is made of the availability in the other official language of the publication described, or even of the linguistic status of the publication.

In September, the EMR decided to launch an in-house study, involving participation of our Office, to look at the whole question of publications with a view to finding acceptable solutions—a firm step in the right direction.

In any case, since so many departments and agencies have come across the same problems and stumbling blocks, the Commissioner's Office intends during 1978 to examine the matter of scientific and technical publications in both official languages throughout the Federal Public Service.

EXTERNAL AFFAIRS

The Department of External Affairs has resolved most of the problems noted during the special study on Canadian representation abroad which we conducted in 1972. During the past year, the Department has pursued its practice of visiting a number of missions abroad to verify that the Official Languages Act is being properly implemented and, where necessary, made recommendations to improve Canada's image as a country with two official languages. These recommendations touched upon receptionists, letter-heads, films, newspapers, etc. It bears mentioning that local difficulties (e.g., the requirement to recruit support staff locally, the lack of readily available translation services) may still prevent the Department from providing certain services in an adequate fashion in both official languages in some foreign countries.

In its internal communications the Department has developed commendable techniques for obtaining quick translations and written adaptations of texts. The Canadian Delegation to the United Nations (both in the General Assembly and the Security Council) is linked by Telex to the Department, as is the Canadian Embassy in Washington. The Consulate in Los Angeles also uses Telex to obtain French translations of urgent texts.

The 18 complaints we received in 1977 reveal that the Department is still experiencing some difficulties with respect to telephone and reception services, press releases, manuals, memoranda, and training courses, and that it has suffered at least one lapse with respect to passport application forms. It has, however, responded well to these complaints by offering detailed explanations and taking the necessary corrective measures.

FINANCE

Six complaints against the Department of Finance were received in 1977, compared to none the previous year. Of the six, five were settled promptly and satisfactorily: the first had to do with accents; the second

dealt with procedures; the third involved correspondence; the fourth revealed no infraction of the Official Languages Act; and the fifth concerned publication in English only of an Information Division bulletin. The remaining complaint, which concerns the bilingualism bonus, is still under investigation.

With the recent recruitment of a new bilingualism adviser in an upgraded position, it is to be hoped that this year's increase in complaints, however minor, will prove to be temporary. Since the bilingualism adviser for the Department has joint responsibility for the Treasury Board, and is consequently as close to the source of government language policy as it is possible to be, Finance should be in the forefront of departments having a good language performance record.

On the other hand, with only eight unilingual French positions out of a total of 867, the Department is sure to encounter difficulties in promoting French as a language of work. We shall return to this matter in a future *Annual Report*.

FISHERIES AND ENVIRONMENT

Nineteen complaints were lodged against the Department in 1977. Three of the eleven complaints settled concerned the poor quality of the French in a form and in two competition notices. A few others concerned the availability of certain publications in English only, telephone service, signage and the sending of an English press release by mistake to a French-speaker. Two referred to a meteorology course given in English only. Finally, one centred on an instance of linguistic inequality: the authors of a report had failed to sign the French version, thereby leading researchers to consider only the English version as authentic. In this last case, the Department agreed to revise its operational policy so as to prevent the recurrence of a similar complaint.

At the end of the year, there were 12 complaints outstanding, three going back to 1976 or earlier. The Department has been guilty of excessive slowness in all these cases, which mainly concern the Meteorological Service in Moncton and a manual written only in English at the Capilano Salmon Research Centre. In regard to the settled complaints, however, the Department showed much goodwill and made the necessary changes.

In 1977, our Office undertook a special study of the Department to examine how it meets the requirements of the Act in terms of language of service and language of work and thereby to round out two smaller studies done in 1972.

The study team has analysed data collected during 65 interviews at headquarters and 75 at regional offices as well as numerous documents

provided to the Special Studies Service and, at the end of December, it was completing the final section of the report and recommendations based on its findings. These indicate that the Department has tried to offer a range of bilingual services orally in many parts of Canada and to publish many scientific and general publications in both official languages. However, there is still need for progress in this area.

Shortcomings also still exist with regard to language of work: many francophone employees both in the National Capital Region and in Quebec are not always able to work in French. This is attributable in part to poor representation of Francophones in the Department (13%) and the low level of bilingualism among English-speaking employees. The Department is very conscious of this problem and has adopted several worthwhile measures with a view to correcting this imbalance.

INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

The National and Historic Parks Branch has implemented most of the recommendations made following a special study completed in 1972 which focussed primarily on certain aspects of language of service. The Branch has taken steps to monitor the use and quality of both official languages for its own signs and publications and to provide certain visitor and interpretative services in French as well as in English. A number of services provided to the travelling public by concessionaires have also been made available in both official languages, with the exception of those provided by one major concessionaire whose long-term contract was signed before the Act came in to effect.

The use of both official languages for historic markers and for park-approach signs still presents certain problems since the approval of other authorities must be obtained before any changes can be made. Negotiations are under-way with provincial governments in order to obtain permission to replace unilingual approach signs. The same is true of discussions with regard to the replacement of unilingual historic markers; in some cases, changes have to be discussed with provincial or local representatives and to be approved by the Historic Sites and Monuments Board of Canada.

Most of the recommendations made following a similar study of the Canals Division, undertaken in 1973, have also been followed. These recommendations touched on the use of both official languages for signs, vehicle identification, publications, service to the public and language training. It should be pointed out, however, that the Canals Division has not always managed to recruit temporary employees capable of providing services to the public in both official languages.

As far as the Department as a whole is concerned, explanations provided with respect to the 14 complaints received in 1977 were not always satisfactory. It was sometimes necessary to request additional information, thereby delaying the settlement of several complaints. Problems cited were, for example, the lack of services in French in some of Parks Canada's museums, publications available in English only and several public signs posted in English only or with French versions containing errors.

INDUSTRY, TRADE AND COMMERCE

The Department continues to make progress in carrying out the 23 recommendations which were made following a special study completed in 1975. It has settled problems identified regarding correspondence, improved the linguistic capability of its regional offices and provided training courses in both official languages. All publications directed to members of both official-language groups are now made available simultaneously in English and French and are dispatched in the preferred official language of the recipient.

The Department has also managed to obtain more translators from the Secretary of State's Department; this factor, together with periodic meetings with translation services, has greatly improved the translation situation. Steps have also been taken to motivate anglophone staff to use their second official language. However, despite the disappointment expressed in our last *Report*, there has been little action to increase the use of French as a language of work. Problems related to the recruitment of French-speaking specialists and the provision of French-language documentation, auxiliary services and internal communications in English and French also still need to be resolved.

The Department settled six of the eight complaints lodged against it in 1977 quickly and satisfactorily. However, the complaints reveal continued weakness in areas identified earlier by our Office, particularly with respect to its official languages policy statement and implementation programme; telephone and reception services; equality of service in both languages; and the adequate use of the media of both linguistic communities.

JUSTICE

The implementation of fifty recommendations made following a 1976 special study of the Department is being pursued in a purposeful and efficient manner.

The Department has had little time to bring about the proposed changes—barely eight months had elapsed before it had to submit a

progress report to our Office. During this short time, it had, however, appointed committees responsible for developing implementation procedures for the most difficult recommendations—those dealing with the drafting of legislation and the examination of regulations. Work in this area is proceeding with care and attention to detail.

The remaining recommendations concerning services provided to the public and the language of work are also being given careful consideration and one can look forward to further improvements in these areas. All in all, the Department's reaction has been encouraging. Its conscientious approach, together with the improvements which it plans to bring about in 1978, will certainly help the Department bring itself increasingly into conformity with the requirements of the Act.

Of the nine complaints settled during the year, three were found to involve no infraction since they centred around apparent conflicts between the Official Languages Act and other statutes of Canada. The others ran the gamut from visiting cards through correspondence to staff evaluations. In all cases, the Department co-operated in taking the required corrective or preventive measures.

LABOUR

A special study of the Department of Labour, which was conducted in 1976, resulted in 31 recommendations. During the seven-month period covered by the Department's report, some action had been taken on roughly two-thirds of the recommendations; the remainder are under study.

A departmental committee was established to recommend appropriate measures. The Department has worked on its draft policy, as well as on a staff information programme; orientation sessions for management and the unions have been given, and others are planned. An implementation plan has not been developed and, although supervisors will be responsible for control, the Department has not yet devised a comprehensive monitoring system.

The Department has taken some steps to improve its ability to provide services of equal quality in both official languages; most written material directed to its various publics is made available in a bilingual format or in separate versions issued simultaneously, but it is not clear that the Department's position with respect to services provided orally has improved yet.

Less has been achieved in improving the language-of-work situation, though forms and most work instruments are now available in English and French, and employees have been asked to use their preferred official language when preparing written material. These measures should lead to

a more balanced use of our two languages. Nevertheless, the Department still has to adopt concrete measures to encourage more extensive use of French as a language of work so as to ensure that employees will be able to work in that language if they wish to do so. Furthermore, no action has yet been taken to ensure that the Department's auxiliary services are provided to employees in their preferred official language.

During 1977, five complaints were made against the Department and two were settled. Complaints covered such matters as unilingual English written and oral communications and the fact that a knowledge of English only was required for a position involving contacts with both linguistic communities. The Department's co-operation in solving the problems brought to its attention tends occasionally to leave something to be desired.

LOTO CANADA

Loto Canada has a high public profile and it is therefore probably not surprising that 37 complaints were lodged against it in 1977. Most concerned a unilingual English publicity pamphlet unwittingly sent to French-speaking families. This was due to the agency's policy of distributing material in bilingual format in the Province of Quebec and in English only in the rest of Canada.

Our Office could not agree that this practice was in keeping with the equality of status of the two official languages. We therefore recommended that the Corporation take the necessary steps to ensure that publicity material is sent to potential millionaires in their preferred official language, when known, or in a bilingual format. Loto Canada replied that it accepted the recommendation and would act upon it.

In spite of the relative inexperience of the organization, it appears to have avoided many of the linguistic pitfalls common to more established institutions. We will be watching to see that this generally good performance is maintained.

NATIONAL ARTS CENTRE

The National Arts Centre was the object of 49 complaints during the year 1977. The complaints concerned lack of service in French and fell generally into the following categories: bars, announcements for encores, restaurants and the "Face the Music" series. In addition, the quality of the French used in printed material and the ratio of French to English artists in monthly programmes were also the subject of complaints. Only 11 of the complaints received in 1977 were settled, largely because the NAC failed to provide the Commissioner with satisfactory

answers. However, in a large number of cases, the answers arrived somewhat belatedly in early 1978.

Notwithstanding these complaints, the NAC makes a considerable effort to provide bilingual services of a reasonable level, and its Director General is firmly committed to this objective. What is required, in most cases, is greater attention to effective monitoring of performance, improvements in quality control and more attention to detail.

The NAC is currently developing a bilingualism policy paper, and meetings are planned between NAC staff and members of the Commissioner's Office in 1978 with a view to finding mutually satisfactory solutions to the problems cited above.

NATIONAL CAPITAL COMMISSION

Although the Commission has always taken language reform seriously, the 14 complaints settled in 1977 reveal, from one year to the next, a certain constancy in the Commission's inconstancy.

Except in the case of one unfounded complaint, all the questions raised concerned language of service (signs, menus, posters, publicity and publications). In half the cases, the Commission took prompt corrective measures or provided satisfactory explanations; in the other half, its co-operation left something to be desired.

As in the past, services provided by third parties under contract to the Commission remained a matter of concern. The Commission has nevertheless given the clear impression that even in this awkward domain it intends to make headway.

We have not had occasion to examine the Commission's performance in a systematic way since our study of 1971, and we will therefore examine the feasibility of a new study that would encompass both language of service and language of work.

NATIONAL DEFENCE

The Department of National Defence's senior management has consistently supported the principles of the Official Languages Act and has maintained close relations with the Commissioner's Office. Thus, the special study we carried out in 1977 met with the full co-operation of the Department.

The Department has many achievements in the official languages field to its credit. It was one of the first federal institutions to recognize the need for an official languages policy and to draw one up. It made French-language units a basic concept in planning the future structure of

the Canadian Forces at a time when other departments were just beginning to think about them. It was also a leader in providing training in both official languages and in tailoring language courses to its specific needs. It has translated many manuals and done much good work in the terminology area.

The Department also deserves special praise for the resolute way in which it has set about increasing the numbers of Francophones in the Canadian Forces. It has conveyed its recruiting message to both official-language groups across the country with intensive and well-directed advertising. The results are impressive: in five years, the proportion of Francophones in the Canadian Forces has risen from just over 18% to almost 24%.

In spite of the Department's accomplishments, however, we found that in many instances its policies and practices were out of harmony with the Official Languages Act. This was generally due to one of three reasons: failure to accept without qualification the principle that the English and French languages have equal status in the institution; inadequacy of mechanisms for implementing official languages policies; and lack of institutional bilingualism at National Defence Headquarters (NDHQ). For example, at the time of the study, fewer than 100 out of over 5,000 military and civilian personnel at National Defence Headquarters were working mainly in French. If the two official languages are to be put on an equal footing in the Canadian Forces, there evidently needs to be more French and a considerably larger francophone presence at NDHQ.

Comprehensive Policy on Official Languages and its Implementation

The Department's official languages policy and programme are mainly concerned with the military and leave many gaps in the predominantly civilian areas (the Department employs some 35,000 civilians). Moreover, they do not deal adequately with the amenities and social activities which play such an important part in the life of members of the Canadian Forces and their families. In short, the Department needs to extend the scope of its official languages policy and to draw up a new implementation plan. All members of the Department should be given a copy of the revised policy so that they can become familiar with it.

Our findings clearly show that issuing a directive on official languages has not in the past always guaranteed imaginative and continuous compliance. We believe this points to the need for a more powerful official languages organization at NDHQ, for language co-ordinators who can play a dynamic management role, and for a senior official to be assigned the responsibility for linguistic auditing.

As part of the *Program to Increase Bilingualism and Biculturalism in the Canadian Forces* which it adopted in 1972, the Department declared that it intended to identify each of its establishments as an English-language, French-language or "national" unit. The manning of new French-language units (FLUS) was to be phased over a period of years. The study team found, however, in 1976 that the FLUs created in 1968 were still not functioning properly from the linguistic point of view and that the Department had not officially named any new ones, although there were a number of regular and reserve units where the high percentage of Francophones seemed to warrant making French the language of work.

Language of Service

It is evident that the Department recognizes the principles involved in the provision of service to its publics in both official languages. It has made a notable effort to make signs bilingual, to provide brochures and leaflets for the public in both languages, to reply to letters in the official language of the correspondent, and to raise the level of collective bilingualism of units in contact with the public. There are, however, several areas which leave much to be desired.

One of these is supply and procurement, where no real consideration has been given to the linguistic needs of the French-language sector, either in Canada or overseas. At the time our study was made, the Department had very little capability for dealing with suppliers in French.

The Department's information services are unable to serve the public equally well in the two official languages. We found that press releases were almost invariably prepared in English and then translated and that the Directorate General (Information) at NDHQ could not handle enquiries in both languages on a full-time basis. In several regions, the Department's information officers were not able to provide the same quality of personal service to the local French radio, TV or newspaper as they provided to the English media; in some cases, they sent French-language newspapers information in English, leaving them to do the translation.

We found that security services at gates and entrances to buildings were often only available in one language, even in places where both languages were used in the local community or by the military personnel. The same was the case with services provided by the military police.

Language Training

The Department has provided language training to large numbers of its personnel. The study team found, however, that the level of knowledge

acquired was often insufficient for them to perform their duties properly in their second language.

Francophones (except for those going into units of the combat arms which work in French) are obliged to take language training at the beginning of their military career. For most Anglophones, however, language training is voluntary. The obligations and privileges of being bilingual should be shared more equitably.

Language of Work and of Internal Communications

The most difficult problems lie in the area of the language of work and internal communications. The Department should begin by taking a hard look at the arguments used in the past to justify the exclusive use of English in certain activities on the grounds that it is safer or more efficient. Given proper planning and good management, the use of two languages can contribute to safety and efficiency by enabling people to work in the language in which they perform best.

Postings have considerable impact on the language of work. The Department does not always meet the linguistic needs of its personnel when it makes postings or transfers. The receiving unit may also suffer; for example, if a new officer or NCO cannot speak the unit's normal language of work and obliges subordinates to use his or her language.

Technical manuals play a very important part in the Department's work. Few of them are yet available in both languages. Even when Francophones are taught a subject from French notes, they have, in many cases, to learn English terminology to understand the manuals that they will use on the job.

Despite its efforts over the years, the fact remains that the Department still does not make the same range of trades and development courses available in each official language and Francophones have to contend with unequal training opportunities.

Language of Internal Services

The Department provides a wide variety of services to the military community: medical and dental, legal, accommodation, CANEX, recreation and education, to mention a few of them. Considerable progress has been made in some areas, but a great deal remains to be done.

In medical and dental services, there is a long way to go. It will remain difficult to attract doctors from both language groups into the Canadian Forces until it becomes normal for them to work in their own language; meanwhile, providing service to patients in French will continue to be a problem.

Bilingual lawyers, court reporters and clerical staff are not available in sufficient numbers to ensure that the linguistic rights of service personnel are fully respected in the administration of justice.

Although the Department is making an effort to see that its services relating to accommodation are available in both languages, some gaps remain. A number of Bases are still not able to handle emergency calls readily in either official language at any time of day or night.

The CANEX organization (stores, cafeterias, etc.) has made real progress in making its signs, advertisements and printed materials bilingual but person-to-person services are still mostly provided in one language only.

Base Community Councils do not as a rule adequately reflect the interests of both groups and there are not a sufficient number of recreational activities organized in French.

There are serious problems regarding the education of dependants. Although the Department provides primary schooling in French at many of its Bases, the numbers in the French system are low, and opportunities for extra-curricular activities in French are limited. The Department's educational policies and the way they are interpreted put the francophone group at a disadvantage. Our findings pointed to the need for a thorough review of the DND school system and action to ensure that the two language groups are equally well served.

The Commissioner's recommendations to the Department of National Defence are reproduced in Appendix H.

Complaints

Thirty-four complaints were lodged against the Department this year, eight more than in 1976. They concerned such matters as signage and notices, oral communication with the public, publications and publicity, the identification of language skills of positions and internal communications.

With regard to complaints received before 1977, the efforts of the Department depend on Treasury Board decisions in two cases: the first involves allowing military personnel to choose either language for the education of their dependants at DND schools, the second is concerned with access to language training programmes. One case in particular, which was brought to light in 1975 and settled this year, revealed a curious concept of linguistic equality. Furniture remover positions in Ottawa had been identified as requiring only a knowledge of English because manuals were available only in that language. The Department fortunately corrected this unfair situation by translating the manuals and changing the language requirements of the positions to require a knowl-

edge of French or English interchangeably, thereby allowing Franco-phones as well as Anglophones access to them.

We have noted that the Department in general co-operates very well. However, in too many cases the answers we receive are still too slow in coming. They also lack detail and require that we follow up to obtain information on the nature of the remedial action taken.

NATIONAL ENERGY BOARD

In the three years since the completion of a special study by our Office, the National Energy Board has improved its ability to provide services to the public in both official languages. It has, for example, taken steps to ensure that correspondence is always handled in the preferred official language of the addressee and that its publications are distributed simultaneously in both official languages. In addition, the Board now provides simultaneous interpretation at hearings in the National Capital Region and Quebec as a matter of course. When hearings are held in other locations, interested parties are requested in Hearing Orders and Notices to state in which language they wish to participate and are informed that simultaneous interpretation can be made available.

Although staff can obtain administrative services (such as pay, personnel, financial and office services) in the official language of their choice, the Board still has some way to go before French enjoys its rightful place as a language of work in the mainstream of the Board's activities. Francophones are encouraged to take management courses in their own language but so far the Board has not found suitable professional courses in French for its energy specialists. Moreover, a preliminary review of the Board's collection of technical references in both languages showed that most of these documents were available in English only; the Board has so far done little, however, to investigate sources of reference works and other publications in French which would open the way for research work in that language. Such matters should be given special attention.

One complaint was lodged against the Board in 1977.

NATIONAL HEALTH AND WELFARE

The Department has been slow to implement the recommendations made following two special studies concerning, respectively, the language of service in the Welfare component (1973), and the language of service as well as the language of work in the Health component (1974). In both cases, the fact that adequate implementation plans and monitoring procedures are not yet in effect has made it difficult for the Department

to ensure compliance with the Act in a number of important areas. However, the attention that is now being paid by senior officials of the Department to the requirements of the Act, and in particular to specific problem areas such as those related to departmental grants and contracts, is encouraging and should yield useful results in the near future.

Progress has, in fact, been made in 1977 in a number of areas. To mention a few examples, the Department has almost completed a revision of its official languages policy; it has begun to put into effect a new programme designed to inform its personnel of specific matters related to official languages legislation, policies and practices; and it has corrected deficiencies in its French-language information and personnel services in the Maritimes.

In addition, our Office has been pleased to note that Health and Welfare's co-operation regarding complaints has been more forthcoming in 1977. It has reacted more quickly and taken the necessary corrective action more rapidly than in the past.

Nevertheless, the nature of the 17 complaints received, as well as the number of special study recommendations which have not yet been fully complied with, reveals that the Department still has some way to go with regard to such matters as: the quality of the French of certain publications; forms and signs; services provided in person or by telephone to the public; contracts and grants awarded to individuals, groups or organizations; and the promotion of opportunities to use both official languages as languages of work.

NATIONAL LIBRARY

In spite of a generally satisfactory performance, there remain a few weaknesses that the National Library could certainly correct with a minimum of effort.

As we pointed out in our 1973 special study, this institution is able to offer excellent service to the public in both official languages. However, it seems unable to offer the same level of service in its internal communications and in its dealings with the libraries of various federal departments. To illustrate, we have had to insist that the National Library offer its documentation centre's services in both official languages and that it undertake to ensure more than token use of French in meetings of the Council of Federal Libraries.

It should be noted that although complaints involving the National Library have never been numerous (only two in 1977, 16 since 1970), the settling of these complaints is usually a long and laborious affair.

NATIONAL MUSEUMS OF CANADA

Twenty complaints against the Corporation were settled during 1977. Two were considered unfounded and were not investigated. Five concerned unilingual publications, and the rest dealt with such problems as poor quality of French texts, and unilingual signs, posters, captions, advertising, internal communications and telephone service. In some instances, the Corporation reacted with exemplary speed to find satisfactory solutions or explanations; in others, especially in the matter of publications, its performance has been much less satisfactory.

In assessing the National Museums of Canada it is appropriate to comment briefly on its components,—the National Museum of Man, the National Museum of Natural Sciences, the National Museum of Science and Technology, and the National Gallery.

Complaints against the Museum of Man and the Museum of Natural Sciences dealt mainly with publications in the scientific, technical, and scholarly category, a persistent problem. The Museum of Natural Sciences was also reminded that telephone answering service should be in both official languages.

The Museum of Science and Technology had a limited number of problems with its communications and advertising in both official languages, but appears well on the way to solving them.

The National Gallery was the object of a rather unusual complaint. The French name, “la Galerie nationale du Canada”, was questioned by a person who said it should be replaced by “le Musée d’art du Canada”. In the complainant’s opinion the French word “Galerie” connotes a place where one may purchase exhibited works of art, which is certainly not the situation at the National Gallery. The matter is still under discussion with the Corporation.

A special study of the Museums would no doubt be useful in enabling our Office to examine their performance more closely with respect to both the language of service and the language of work, and to have a closer look at the particularly difficult question of scientific and technical publications.

NATIONAL REVENUE (CUSTOMS AND EXCISE)

Most of the recommendations made in 1973 as a result of a special study of certain aspects of language of service in the Customs and Excise component of the Department have been implemented, and imaginatively so in a number of instances. During the past year, Customs and Excise has, for example, made special efforts to resolve questions related to language training by setting up job-related language-training courses

ranging from total immersion to programmed courses, by organizing an innovative exchange programme in order to help employees from different regions of the country perfect their knowledge of a second language and by preparing specialized glossaries of the vocabulary used by its staff.

In addition, regional personnel directors have been instructed to make appropriate use of local weekly newspapers for recruitment purposes in areas where there are minority-language groups. Data on the linguistic capabilities of employees are being integrated into a central manpower resources system; and evaluation and control mechanisms are being set up to monitor the performance of official languages programmes. Finally, the Department has initiated a management study in order to determine the language preferences of its customers. First carried out at Toronto International Airport, this study is to be expanded to include other points of entry into Canada; its results will assist management to determine the language used by its customers.

Despite such evidence of progress, the 18 complaints received by this Office in 1977 (of which 17 have been settled), reveal that Customs and Excise is still experiencing difficulties with respect to the language of service. A large number of complaints concerned the lack of service in French in places such as Rock Island, Windsor, Toronto and Sydney. Other complaints concerned the lack of service in English at Mirabel International Airport, the receipt of letters in English by French-speakers and unilingual-English telephone reception service at Edmonton.

In most of these cases, the Department came up with satisfactory solutions, and co-operation was good. Indeed, the Department accepted the Commissioner's suggestion that a number of information sessions be organized involving his Office and departmental staff, the purpose of which was to make customs inspectors more aware of their obligations vis-à-vis the Official Languages Act. The first of these sessions was held in Toronto in early June and was very successful; there has since been a reduction in the number of complaints involving Toronto International Airport. Other information sessions across the country are planned for 1978, it is to be hoped with similar results.

NATIONAL REVENUE (TAXATION)

The Taxation component of the Department of National Revenue has introduced practical measures over the past five years to implement almost all of the 13 recommendations made as a result of the 1972 special study on language of service. Within the past year, Taxation has introduced a system designed to provide individuals with tax forms and guides in their preferred official language at post offices throughout

printed in bilingual format, a procedure which eliminates all possibility of displaying material in one official language only.

Although Taxation has achieved a great deal in the field of official languages, further action is required to ensure that members of the public can receive services of equal quality in their preferred official language. The lack of bilingual staff in certain areas makes it difficult to meet demands for service in English and French at all times. This situation is, at least in part, responsible for the fact that telephone reception services are not always provided in both official languages and that members of the public do not always receive correspondence in their preferred official language; a stricter monitoring system is also needed. Furthermore, in order to avoid delays, Taxation should consider alternatives to the use of mail services when sending correspondence to be translated.

In 1977, 17 complaints involving Taxation were received and 16 were settled. The co-operation received was excellent. Complaints concerned matters such as a memorandum distributed in English only; poor service in French at the Saint John, N.B., district office; tax forms and other correspondence in English sent to Francophones, and the fact that service in French is not offered as a matter of course at Ottawa District Office and in Moncton, N.B.

PARLIAMENT

It is painful to have to report that the very institution which unanimously adopted the Official Languages Act eight years ago is far from being in the vanguard with respect to its rapid and effective implementation. Despite undoubted goodwill and considerable effort on the part of Mr. Speaker and the Clerk of the House, we are obliged to report that the Commons staff continue to grapple with elementary shortcomings in their capacity to provide equal service to both language groups. That the image of a bilingual country is still not reflected in the Parliament Buildings simply cannot be considered satisfactory.

In 1977, Parliament was the subject of 16 complaints. With one exception, all were well-founded. They dealt with on-going problems of the poor quality of French used in guided tours, unilingual English-speaking security guards, publications, the absence or poor quality of French versions of various plaques in the Parliament Buildings, the unilingual English texts beneath portraits of former Prime Ministers, Speakers of the House and Senators, and unilingual English telephone greetings.

Although 10 of these complaints were resolved satisfactorily, along with five others received prior to 1977, six still remain unsettled. These

deal with the most persistent problems, the language of guided tours and the inscriptions on plaques displayed throughout the Parliament Buildings.

With a keen sense of timing, on the last day of the year, the Clerk informed us that the Speaker had ordered that "... explanatory bronze plaques giving a reproduction in the French language of the English version be erected in the halls ..." in the case of all plaques, including those on the portraits of former Prime Ministers and Speakers. With regard to the guided tours, the Clerk reported that "... our present inclination is to take the step of relieving the [protective staff] of this responsibility completely, and taking on a permanent set of tour guides." These words are encouraging, and we hope that we will be able to report next year that they have been followed by appropriate action.

The Senate

A special study of Senate staff services was completed in December 1977. It deals with language of service and language of work and includes recommendations and suggestions to help Senate staff comply with the requirements of the Official Languages Act.

The study shows that Senate employees, for the most part, are willing and even eager to ensure that senators and the Senate's various publics are served in the appropriate official language. Many employees are also very much aware of the need to provide internal services of equal quality to members of both language groups.

This reservoir of linguistic capability and goodwill often remains untapped, however, for three interrelated reasons. First, the lack of administrative guidelines on official languages makes it difficult for staff to know what is the most effective way of meeting the requirements of the Official Languages Act in their day-to-day activities. Second, demand for service in one or the other official language is often viewed in terms of expressed need rather than in terms of language preference. Finally, the assignment of functions involving communications with French-speaking as well as English-speaking senators, other staff members or the public does not make full use of available linguistic resources.

As far as services provided to Senate committees are concerned, bilingual French-speaking senators and witnesses often find that verbal communications, memoranda and documents are available or distributed only in English. Adequate facilities for simultaneous interpretation are not always made available. Finally, federal institutions are not always asked to provide briefs and documents in both official languages, and unilingual documents from non-federal institutions or from individuals are not always translated. Clearly, much remains to be done before

French-speaking senators, witnesses and others involved in committee work enjoy the same opportunities as their anglophone colleagues to study briefs and other documents in their own language.

A number of deficiencies were also noted with respect to staff contributions to Senate legislative activities. Persons interviewed expressed the opinion that the French versions of public bills are frequently neither as consistent nor of as high a calibre as the English versions. This was attributed to the fact that most legislation and subsequent amendments or revisions are first drawn up in English and then translated, as well as to the fact that vetting procedures for the French version are often inadequate.

Most of the problems noted with respect to communications with the public could be solved by preparing guidelines informing staff of their responsibilities under the Act and seeing to it that they fulfil them. Administrative measures should be adopted which will ensure that callers and visitors are always greeted in both official languages and referred as a matter of course to employees who are able to provide them with assistance or information in the appropriate language. The situation with regard to written communications and signs, with a few exceptions which are being looked into, is generally satisfactory. We should, however, point out here that a number of the people interviewed were concerned about the lack of French-language capability of certain study teams travelling across the country.

The French language is rarely used in group activities within the organization. Staff contributions to reports, manuals, and other documents are almost invariably drafted in English, even by individuals whose first language is French. English is also used almost exclusively at meetings, even when several French-speakers are present. This was attributed by those interviewed to habit and unwritten traditions as well as to certain deficiencies in internal services. For example, oral explanations concerning personnel and administrative matters are available from branch management in English only. Also, French-speaking candidates for Senate staff positions have, on occasion, been interviewed by unilingual or almost completely unilingual interview boards. Much remains to be done in these and other areas related to language of work.

In summary, we cannot say that there is a satisfactory equilibrium in the use of the two official languages within the Senate staff organization for either external or internal communications. Nevertheless, given the relatively high linguistic capability in many components and the obvious goodwill of the staff, there can be little doubt that, if the proper support planning and implementation procedures are forthcoming, the organization will be able to provide its services and communications in the two official languages as a matter of course and, consequently, present a scrupulously bilingual image of the Senate to the public.

POST OFFICE

The Department has made a serious effort and continues to make progress with respect to the implementation of recommendations made following a 1973 headquarters special study. In 1977, it carried out a national survey in order to determine its bilingualism needs. The results of this survey will help to establish objectives, develop an implementation plan and control system, and determine its bilingual staffing needs.

In addition, the Department has published articles to provide its employees with information on the Official Languages Act, has installed signs indicating where services are available in both languages, and has taken steps to ensure that services furnished under contract are bilingual. Improvements have also been noted with regard to language training and retention, translation, visual bilingualism and bilingual telephone reception. The question of relocating bilingual employees who are willing and able to move, in order to perfect their knowledge of their second language, is still being studied.

Although there are also positive elements to be pointed out this year concerning the handling of complaints (initiative, practicality, willingness to correct shortcomings), there is still the same exasperating slowness in communicating even the simplest information to us, the same lack of precision in replies and an apparent lack of concern about the requirements of the Act, judging by the difficulty which we encounter in obtaining compliance with them.

Of the 95 complaints received in 1977, 57 were settled, and 44 files carried over from past years were also closed.

PUBLIC ARCHIVES

Although the 6 complaints lodged against the Public Archives in 1977 represent an increase of 100%, over to 1976, the linguistic performance of this organization cannot be said to have deteriorated.

The complaints nevertheless reveal two faults which the Public Archives appear to have considerable difficulty in overcoming: its telephone answering service is not always available in both official languages; and some of its commissionaires still communicate with the public in English only.

The presentation of exhibitions is one of the more important functions of the Archives, vis-à-vis the public at large. Their policy requires that such exhibitions be presented in both official languages even when they are organized in co-operation with non-federal institutions. It would appear that deviations from this policy, such as those brought to our attention in previous years, no longer occur.

PUBLIC SERVICE COMMISSION

A special study completed in August 1974 focussed on the Public Service Commission as a central body capable of initiating measures and programmes to promote the implementation of the Official Languages Act within the Public Service. Since that time, the Commission has systematically, if at times somewhat slowly, tried to find solutions to the problems which led to the 18 recommendations made by the Commissioner.

In the area of recruitment, the Commission has taken a number of steps which are intended to help in the creation of a Public Service which is more adequately representative of both language groups. It has, for example, adopted a central candidate inventory system and has begun to make available and to analyse comparative data on the preferred language of candidates.

Progress has also been made in the area of training and development, both linguistic and professional. The Commission has increased the accessibility and availability of its training courses to members of both language groups. However, the higher number of cancellations and lower enrolment in courses given in the French language still give rise to questions which merit close investigation.

Furthermore, the Commission reacted positively to the comments made in our *Sixth Annual Report* (1976) concerning the operation of the Language Review Committee. A public servant who wants to challenge his removal from language training or his failure to pass the language knowledge examination (LKE) may now, if he so desires, be present at the Committee hearing and may plead his own case. This measure is an important first step towards the rehabilitation of this appeal mechanism so often criticized in the past.

As for language requirements, the new joint Treasury Board-Commission policies will allow departments greater flexibility in setting linguistic norms to be met by public servants under individual job-related circumstances. The year 1977 marked the first breakthrough in the revision of language selection standards on a better administrative and more scientific basis, but this is only the first step in a more comprehensive revision of all language-related activities of the Commission. Work still remains to be done to correlate this new approach to selection standards with language knowledge and course examinations as well as to bring the content of the courses themselves into closer conformity with the actual needs of the incumbents of bilingual positions.

Thirty-five complaints against the Public Service Commission were received in 1977. As in past years, most complaints dealt with correspondence and forms, telephone and reception services, employment

procedures and irregularities in language training and testing programmes. Several complaints touched upon the staffing process, including job advertisements, and interview and appeal processes. It is to be hoped that, in dealing with these problems, the Commission will be able to clarify and explain more adequately to candidates and selection board members alike what is meant by a bilingual interview and what linguistic competence is required of board members.

PUBLIC WORKS

The special study of the Department, completed in 1974, resulted in 38 recommendations, of which 37 have been carried out in whole or in part. The Department intends to include all matters related to official languages in its management process, but still does not have a coherent, systematic plan. It is establishing an official languages programme and has assigned responsibility for the implementation, co-ordination and control of all aspects of the programme throughout the Department, at headquarters and in the regions. Employees have been informed of the aims and intent of the new government language policies as well as various measures required to achieve the objectives.

All forms, notices and similar materials intended for the public are now available in both official languages, and some progress has been made in providing Department-wide reception and telephone services in French as well as in English. The Department has also recorded the language preference of actual and potential bidders for contracts and uses this information to determine where demand for services in both official languages exists. Appropriate English- and French-language media are used for advertisements and tendering documents and contracts are made available in English and French when used by members of both official language groups. However, the Department still has not defined and disseminated a clear policy statement on advertising, tendering and contracting.

Various language courses for employees have been introduced as have practical measures related to the use of translation services. Both these measures should increase the Department's capability to provide its services in both official languages.

The Department has improved its performance in the area of language of service, but, despite its expressed desire to ensure equal status for English and French as languages of work, many employees cannot yet use their preferred official language for communications within the Department. Furthermore, all manuals are not yet available in both official languages. We hope, however, that the sound attitude shown by senior management will help the Department increase francophone participation and give full effect to our recommendations speedily and efficiently.

The 19 complaints settled during the year concerned, among other things, signs and notices, the rental service of the Conference Centre in Ottawa and the availability of technical training courses only in English in Montreal. Unfortunately, the Department's co-operation in settling complaints was less than enthusiastic and, in many cases, we had occasion to regret its excessive slowness in replying. Towards the end of the year, however, it did give some indication of wanting to resolve complaints concerning signage more quickly.

REGIONAL ECONOMIC EXPANSION

Whereas only one complaint was lodged against the Department in 1976, four were received in 1977. The first concerned a job description not available in French. The second was about lack of telephone service in French at the Department's Edmonton office. Two others concerned the unilingual English names of two companies in which the Department had an interest. The whole of this last question is under study, and until the legal aspects have been settled, it will not be possible to determine to what extent the Official Languages Act is applicable in such cases.

Generally speaking, the Department's linguistic performance appears to be good, both in terms of avoiding complaints and of dealing with the few lodged against it.

ST. LAWRENCE SEAWAY

A special study of the St. Lawrence Seaway Authority was completed in 1975. In our last *Report*, we pointed to the unevenness of the Authority's efforts and stressed the need for a more comprehensive bilingualism policy, implementation plan and employee information programme. In other words, we asked the Authority to tackle its problems systematically. It is disappointing to have to record again that much remains to be done to accomplish this objective.

The Authority has, however, taken several positive steps during the year. For example, it has taken stock of its linguistic resources and earmarked funds for developing them; started a language retention programme; and hired bilingual students to provide service to pleasure craft in French at the Iroquois lock. It has also obtained a number of French-language technical books and will make more such materials available to its staff in the future.

According to the Authority, there is no real demand for French-language traffic control services in the Western Region, which includes the Welland Canal and the locks at Sault Ste. Marie. However, the question of demand should be looked into on a periodic basis and the

Authority should ensure that concessionaires in the Western Region are equipped to offer services to the travelling public in both official languages.

Only two complaints were lodged against the Authority in the period under review. They concerned the language of ship-to-ship communications on the Seaway and the granting of a bilingualism bonus to a stenographer. They were resolved to the Commissioner's satisfaction.

SCIENCE AND TECHNOLOGY

After our study of the Ministry was completed in 1975, two teams of managers and specialists were set up to examine the findings and look into the implications of the recommendations. By the following year, they had drawn up a new draft policy covering all the major points. We expressed concern in our last *Report* at the rather frequent use of qualifiers, which we were afraid might become escape clauses; subsequent revisions, however, have reduced this risk. Although the policy has not yet been formally adopted—the Ministry wishes to dovetail it first with Treasury Board's new guidelines—many of its elements are being applied in practice. The policy-making process and information sessions have involved a cross-section of the Ministry's staff who are consequently more aware of the requirements of the Official Languages Act.

A very substantial proportion of the Ministry's staff participate in some sort of job-related language training or retention programme and each of its branches is said to have sufficient linguistic capability to serve their various publics. On the other hand, it has some way to go with respect to the equitable use of French as a language of work. The participation of Francophones in its Government Branch and Industry Branch seems barely adequate to sustain French as a viable language of work. We are disappointed to find that the Ministry has still not taken the initiative in making the nature of the work it does, and the employment opportunities it offers, better known in francophone universities and professional associations. We hope that next year we will be able to report progress in this area.

No complaints were lodged against the Ministry this year.

SECRETARY OF STATE'S DEPARTMENT

A study of the Translation Bureau was undertaken in 1976 in order to determine how the Bureau could help other federal institutions comply with the Official Languages Act. Twenty-four recommendations were made. Several of these recommendations encourage the Bureau to contin-

ue with measures it had already introduced or planned to introduce; others can be put into effect only over a long period of time.

The Bureau is hoping to improve the quality of its translations by providing intensive training for a large number of its translators. It also hopes to make a career in translation more appealing by introducing flexibility in terms of functions and manner of operation. A system for evaluating the quality of its translation and interpretation services is now operational, as is the Terminology Bank and a unit involved in computerized translation. Furthermore, the Bureau has established an internal Communications Service to improve the flow of information, has started to assume its responsibilities in the area of standardization, and is preparing bibliographies in various fields.

On the other hand, little action has been taken to educate clients with respect to the Bureau's needs and operations (though it plans to prepare a guide) or to make them aware of their own responsibilities in the translation process. The Bureau has also made few attempts to ascertain whether co-drafting of English and French texts in certain fields by departments' or agencies' own staff would be a viable alternative to translation. Although bursaries are now being provided to students taking French-to-English translation courses, more needs to be done to assist universities improve their courses for would-be translators.

Twenty complaints were lodged against the Secretary of State's Department as a whole in 1977. They dealt with such matters as the poor quality of the French of certain texts, the appointment of a unilingual English-speaking regional director, lack of reception services in French, the absence of a French abridgement of Royal Commission Reports on Bilingualism and Biculturalism, the use of English subtitles only in advertisements related to multiculturalism in some ethnic newspapers published in Quebec and unilingual English banners displayed on July 1. The Department's initial response is always fast, but final settlement is often extremely slow.

SOLICITOR GENERAL

After more than seven years of soul-searching, the Ministry of the Solicitor General finally published a policy on bilingualism in the spring of 1977. The policy is a useful if somewhat vague document that provides guidance to the agencies that report to the Solicitor General (Ministry Secretariat, Royal Canadian Mounted Police, Canadian Penitentiary Service, National Parole Board). However, the Ministry recognizes that "full implementation will take time" and that, in the interim, application of the policy "may differ among the component parts of the Ministry". This somewhat leisurely approach to timetables and co-ordination has been at the root of many of the complaints brought against the Ministry.

Canadian Penitentiary Service

This year the Service has settled satisfactorily, and within reasonable time, five complaints concerning inmates' educational services, correspondence received in English and a unilingual sign. In addition, following a complaint about medical and psychiatric care provided to British Columbia inmates, the Commissioner made 17 recommendations touching on all services available to inmates.¹ It is interesting to note that a number of these recommendations echo those made as a result of our study of bilingual services offered to inmates at the Dorchester (N.B.) and Springhill (N.S.) penitentiaries (cf. *Second Annual Report*, pp. 251-253). The service's apparent difficulty in learning from the past in this respect is puzzling. However, in fairness, it must be said that it has shown a positive initial reaction and is now developing an implementation plan to deal with the recommendations. A recent complaint indicates that the Service is also having problems providing educational services in both official languages in Quebec and other places where demand exists.

National Parole Board

The Board dealt with two complaints brought against it in 1976, but has been slow to find satisfactory solutions to three complaints filed in 1977 regarding a competition poster and reception services in Ottawa. The three complaints in question do not allow us to conclude that all is well at the Board in the areas of service to the public and the use of both official languages as language of work. For this reason, the Commissioner will examine the possibility of conducting a special study of the National Parole Board.

Royal Canadian Mounted Police

Thirty recommendations were formulated following a 1974 special study of the RCMP which covered both language of service and language of work. Since that time, the Force has improved the overall bilingual capability of its police personnel, thus enabling it to make its services more readily available to members of both linguistic groups. French-language recruit training, and the documentation required for such training courses, are now available for the first time.

On the other hand, the RCMP has been slow to provide members of the Force with information concerning their responsibilities under the Act. It also needs to improve its recruiting methods in areas populated by both linguistic groups; increase the number of detachments able to

¹ The recommendations are set out on pp. 94-97 of the present *Report*.

provide services to the public in both languages; provide bilingual work instruments and encourage a more widespread use of both official languages for internal communications.

It must be noted that, despite the progress made during 1977, the RCMP has not yet carried out this Office's basic recommendations that it draw up its policy statement on official languages and implementation plan. Several of the complaints lodged against the Force have revealed that the obligation to respect the Official Languages Act is misunderstood to a certain degree and that the Act's requirements have not been well integrated into the RCMP's activities and management process.

Twenty-one complaints were received this year of which 13 have been settled. Nearly all concerned police dealings with the public. The Force has not always acted quickly on them and, in addition, a number of its replies have been imprecise. Overall, their efforts leave something to be desired.

STATISTICS CANADA

With the prompt co-operation of Statistics Canada, our Office was able to settle satisfactorily five of the six complaints that were lodged against that agency this year.

One complaint against a supposedly unilingual English-speaking supervisor proved to be unfounded and was withdrawn. Two complaints concerned telephone answering service in English only and brought quick reminders to receptionists to identify the services in both official languages, as well as re-examination of the language requirements of such positions. Another dealt with a form on which the title of a bilingual publication was in English only—a slip of the typist, as it were. The fifth complaint concerned a letter written in English to a Francophone. Oddly, after an exchange of correspondence in French, the complainant had, at one point, written in English with the result that the agency replied in English. This confusion was soon sorted out.

The complaint outstanding, which concerns forms used for various surveys, has resulted in a study being undertaken to ensure that each addressee receives a questionnaire in the official language of his or her choice.

A special study of Statistics Canada, the country's central statistical agency, commenced in 1977. With the full co-operation of the organization, the team conducted over 90 interviews at headquarters and 30 at seven regional offices. At the end of the year, the information gathered had been analysed and the report and recommendations were being drafted.

The results of this study will be included in our next *Annual Report*.

SUPPLY AND SERVICES

The Bilingual Programmes Office continued the excellent and imaginative initiatives launched last year to promote both better understanding of linguistic reform within the Department and improved language service to the public.

The Department settled quickly and efficiently 20 complaints concerning such matters as lack of service in French at its information office in Toronto, the absence of telephone reception service in French at offices in Hull, Ottawa and Fredericton offices, the quality of the translation of a form, a unilingual memorandum, and a form letter in French addressed to an English-speaker in Vancouver. In some instances, the Department acted on its own initiative to take the required preventive measures, while in others its detailed and positive explanations allowed our Office to settle the complaints in question promptly. However, tenders continue to be a problem, since in some cases, especially with regard to printing, specifications are written in English only. The Department is actively pursuing means to solve certain technical difficulties involved.

This Office began a study of the Supply Administration in the Department of Supply and Services in 1977. A total of 94 interviews were conducted within the Supply Administration itself, 50 at headquarters in Ottawa, and 44 in offices in the regions. In addition, 14 interviews were held with staff in the Department's Common Administration Programme which serves both the Supply and Services Administrations. The Supply Administration staff, almost without exception, proved to be very cooperative throughout the study. By the end of the year, the information-gathering process was completed and parts of the report had been drafted.

The special study of the Services Administration of the Department, also begun in 1977, deals with both language of service and language of work. After completing the usual preliminary meetings, the study team conducted a series of interviews at headquarters and then visited regional offices. At the end of the year, the study team had completed about a hundred interviews and had begun to analyse the data collected. In order to flesh out certain aspects of the study and to take into account changes that occurred last autumn in the area of official languages, we estimated, at the end of December, that 20 additional interviews would be necessary.

The results of these studies will be included in our next *Annual Report*.

TRANSPORT

A special study of language of service and language of work in the Canadian Air Transport Administration (CATA) of Transport Canada was conducted in 1974.

Throughout the past year, the Administration continued its steady and systematic progress towards full implementation of its 56 national policies and of the 82 special study recommendations upon which these policies were based. This year, for the first time, the newly-appointed Regional Official Languages Co-ordinators were able to provide the Administration with detailed information concerning progress and problems in each of the regions. These co-ordinators, together with Airport Services and information officials continue to carry out local and functional reviews so as to identify and solve problems which might impede the provision of information and services to the travelling public in both official languages.

Progress has also been made in the area of translation, terminology and quality control of documents prepared in or translated into French. In this context, the Administration has undertaken an intensive search for technical documents and reference works translated or prepared in French abroad. Steps have also been taken to improve the ability of its staff to draft standards and legislative documents direct in both official languages, to improve quality control of French translations in the regions as well as at headquarters, and to co-ordinate the standardization of aviation terminology used within CATA.

Some of the problems—such as those concerning information distributed on airport premises, services provided by concessionaires and commercial signage—will require the co-operation of air carriers, federal departments and other organizations or individuals before they can be resolved. National consultations with air carriers have been underway for over 18 months in order to find ways to ensure that information and services are provided to the travelling public in both official languages. CATA is also analysing the situation with respect to information booths, telephone links, signage, public address systems, and airport administration offices, in order to develop for its airports a national communications network which would enable the Administration to meet the requirements of the Official Languages Act. Much remains to be done in this area as well as with regard to such matters as air-ground communications and civil aviation services, which are currently being examined by the Commission of Inquiry.

Finally, this Office is pleased to note that, for the first time this year, concrete measures are being taken to make use of recommendations made to CATA, as well as CATA's own national policies, as the basis for a ministry-wide official languages implementation plan.

The Ministry as a whole continued to settle complaints within reasonable time limits. Of the 34 complaints received in 1977, 20 were settled by the end of the year, along with 15 left over from previous years.

The complaints received in 1977 covered pretty well the same ground as those received in 1976, i.e., publications, lack of French-

language magazines and newspapers at various airports, lack of bilingual service from airport concessionaires, unilingual telephone answering, and matters related to language of work. The forthright manner in which the Ministry handled these complaints is encouraging. While there is still room for improvement, the Ministry has shown itself to be concerned with abiding by the requirements of the Official Languages Act.

TREASURY BOARD

The Treasury Board Secretariat has had the reputation in the past of being an anglophone preserve. We are happy to note that, although much remains to be done, considerable strides have been made in improving the status of French as a language of work. To judge by the services offered its clients, including our Office, and by the number of complaints received, the Secretariat is in a position to offer its services in both official languages. We are in no doubt that the will to work toward further progress is present at the senior levels of the Secretariat, and we must hope that it will be reflected throughout the organization.

There have, of course, also been major changes in the Board's approach to language policy, a number of which are discussed in Part I of this *Report*. We are pleased to note that the new policies have taken a number of our recommendations into account, and have also extended the areas where both languages will be used as languages of work. Much will depend, however, on the skill and enthusiasm with which they are put into effect. Had the Board carried out fully this Office's recommendation that instructions relating to the requirements of the Official Languages Act be included in its administrative policy directives, a number of problems and complaints involving federal institutions might have been avoided during past years.

Only one of the five complaints lodged against Treasury Board this year created any difficulty. It concerned certain documents prepared by unions and distributed in one language only to public servants. The case should be resolved in 1978. Treasury Board, as is customary, co-operated fully with this Office throughout the year.

URBAN AFFAIRS

In 1977, we received only three complaints against the Ministry of Urban Affairs—compared with eight in 1976. They concerned the lack of a French version of a memorandum, the level of linguistic proficiency necessary for the Ministry's Director of Communications position, and the lack of service in French at "Harbourfront" in Toronto.

Whereas we noted in 1976 that in general the Ministry co-operated very well in settling the eight complaints made against it, this year we must observe that co-operation has diminished in almost direct proportion to the number of complaints. In fact, replies have been received only after inordinate delays and numerous reminders.

Special mention should be made of the private company "The 207 Queen's Quay West Ltd.," set up in 1976 by the Ministry to manage the Harbourfront centre in Toronto. The financial involvement of the Federal Government in this endeavour and the administrative control that the Ministry of Urban Affairs exercises over the company suggest that it should reflect the bilingual character of federal institutions. Although the status of Harbourfront vis-à-vis the Act was not clarified by the end of the year, the Chairman of the company has agreed to do all he can to provide bilingual services. The organization, for February 1978, of an exhibition of French books at Harbourfront is without doubt a reflection of these good intentions.

VETERANS AFFAIRS

Three complaints were lodged against the Department during 1977. One dealt with the unilingual English name of the "Last Post Fund;" a second concerned a demand by certain veterans to be treated in French at the Bathurst Hospital; the third had to do with the bilingualism bonus. All three files were still active at the end of the year.

The involvement of outside parties in two of these cases has brought about delays that cannot be attributed to the Department. Indeed, the Department, which has attracted very few complaints (28 since 1970), has always endeavoured to correct promptly any deficiencies brought to its attention.

It is particularly with regard to the services offered in the Department's hospitals that certain difficulties seem to arise. Although the Department continues to react positively in all such cases, this is an area that would warrant a closer and more systematic examination.

PART III

COMPLAINTS

1. More Complaints: The Appetite Grows with Eating

Our more faithful readers, who are curious enough to go over our annual reports with a fine-tooth comb, will no doubt be struck by the marked increase in the number of complaints received in 1977 compared to previous years. Between 1976 and 1977, the number of files opened rose to 1,160. This represents an increase of 25.5% over the 924 complaints received in 1976 and may be compared with an average of 792 complaints per year in the period April 1970 to December 1976.¹

Should the increased activity in this area be attributed to unexpected backsliding on the part of institutions responsible for implementing the Act? This is probably an overly hasty conclusion which would be unfair to the federal administration as a whole. There are of course still too many departments and Crown corporations which remain strangely inert or inept with respect to language reform, but others have made considerable progress during the last few years, as has been pointed out above in our evaluations of various departments and agencies.

In fact, one does not need any great talent in order to hazard two explanations which may account for the increase in the number of complaints. One is rather obvious; the other more conjectural.

The first relates to the December 1976 opening of a regional office in Moncton with responsibilities for the Atlantic provinces. Thus far, this initiative has produced very favourable results.

For many Canadians, Ottawa is an almost mythical location, remote and inaccessible, inhabited by bureaucrats engaged in curious, esoteric activities. The on-the-spot presence of a representative of our Office, whose role is both to inform the public of their language rights at the federal level and to receive their complaints, has greatly reduced the distance—both physical and psychological—separating people and Government.

1. The mathematically-inclined will find the usual statistical data on complaints in Appendix F.

The result has been a spectacular increase in the number of complaints from the Atlantic region, particularly from New Brunswick. Whereas from April 1, 1970, to December 31, 1976, we received only 350 complaints from all four provinces in the Atlantic region (6.5% of the total number received during the same period), in 1977 we received 213 complaints from these four provinces—or about 18.5% of the total. In the Province of New Brunswick alone, the number of files opened rose from 51 in 1976 to 190 in 1977, an increase of more than 270%.

These very positive results have encouraged us to give serious consideration to the possibility of setting up a regional office in the Winnipeg area in 1978 to serve western Canada. Manitobans, for example—whether through lack of concern or despair—submitted only eight complaints during the year; we find it hard to believe that these figures accurately reflect the effectiveness of federal agencies in providing services in both languages in that Province.

The second explanation, more hypothetical and less easy to pinpoint, derives from the phenomenon commonly explained as being due to the fact that “the appetite grows with eating.” The more the Act is put into effect—even if those concerned move at a snail’s pace—the more the expectations and impatience of the public grow. People are no longer satisfied with cosmetics: they want action, serious change and permanent solutions. This desire for reform is most heartening, particularly as it reflects continuing vigilance on the part of our complainants. Even eight years after the adoption of the Act, many taxpayers continue to find that bringing infractions of the Act to our attention remains an effective way of advancing language reform in Canada.

2. Common Failings: Old Habits Die Hard

During the past year, we witnessed the usual series of infractions which are all the more offensive because they are so easily avoidable. Certain federal institutions apparently remain hopelessly unable from one year to the next to acquire the collective reflexes which would be necessary for them to consider bilingual service a normal and natural phenomenon.

Whether they concern telephone service, correspondence, wicket service, or signs or publications of a general nature, the majority of complaints are monotonously familiar. What is most striking is the ease with which guilty departments and agencies backslide even after having announced measures apparently meant to correct the reported shortcoming.

First among the deep-rooted vices is the difficulty certain institutions apparently have in getting their staff to follow simple instructions. There

are still too many Air Canada passenger agents and flight attendants, CN conductors and Post Office wicket clerks who attempt to impose their own language on the client without first trying to establish contact in his language (two or three polite phrases would suffice) and attempting to obtain the services of a colleague who is more talented with other tongues. The fact that this type of situation still persists in the National Capital Region—at Ottawa International Airport and certain sub-post offices to cite well-known examples—is hardly likely to convince the sizeable number of people who have always thought of language reform as a clever hoax of the seriousness of efforts made by federal institutions as a whole.

Equally great is the frustration of taxpayers (usually Francophones) who, when trying to obtain information on the telephone, must either speak the other language—if they know how—or wait a long time indeed before they get an answer or someone calls them back in their language. The eloquence of the comments—at times desperate, ill-tempered or ironic—which we receive from victims of these situations are worthy of Demosthenes.

Although we continue to receive the usual batch of complaints dealing with what seem, at first glance, to be minor (and therefore less excusable) infractions, our complainants also bring to light much more complex situations: services offered by subsidiaries of certain federal agencies; the language system within federal penitentiaries; problems related to language of work (performance evaluations of public servants, supervision of employees, manuals and documentation, and so on); and scientific publications. These are a few of the many substantive problems which require, from the institutions concerned, measures which are sometimes delicate and nearly always long and difficult to implement.

In 1978, as in the past, the Complaints Service of this Office will continue both to protect the language rights of complainants and to offer its assistance to federal agencies as required with a view to eliminating as far as possible the sources of infractions of the Act.

3. A Reader's Digest of Cases

Without wishing to try the reader's patience with a mixed salad of cases examined during the year, we would hope that the complaints set out below, most of which have been chosen because they are illustrative of problems which arise across the Government, will help to illustrate a number of the shortcomings discussed in earlier sections of this *Report*. Although a few of these cases may excite the curiosity of the common reader, they are intended primarily for the attention of artisans of linguistic reform who have to apply the Official Languages Act in federal institutions.

Should Members of Parliament or interested citizens wish to obtain additional information about complaints with which the Office has dealt during the year, we would be pleased to hear from them.

File No. 4868—Agriculture

Occasionally, departments take the happy initiative of doing their own in-depth studies of situations from which complaints have arisen. Thus, in response to a problem raised by a client, the Department of Agriculture undertook a thorough study of the linguistic performance of one of its organizations—CANFARM— which, among other things, provides programmes of assistance in farm management.

A CANFARM client from Quebec requested our support in ensuring that the organization received the resources it needed for the simultaneous production in both official languages of certain documents dealing with the technical vocabulary of agriculture and data processing.

On being informed of the problem, the Department ordered a thorough study of the language situation within CANFARM. This study went well beyond the facts noted by our complainant and the resulting report, containing 25 recommendations, was sent to us about five months later.

Our Office was of course more than satisfied with the action taken by the Department. At the end of the year, CANFARM appeared to be ready to implement 24 of the recommendations, including one dealing with a new, bilingual name for the agency.

File Nos. 5726 and 6075—Air Canada

In spite of some positive measures, Air Canada is still unable to offer bilingual services at all times at the airport in the National Capital.

In the spring of 1977, a correspondent complained that when he went to the Air Canada ticket counter at Ottawa International Airport and asked in French for two airline tickets, he was met with the question: "Do you speak English?" A few months later, another complaint was received about lack of service in French at the same location. The second correspondent pointed out what he considered to be misrepresentation on the part of Air Canada, since signs posted above the counter offered service in the two official languages. The complainant believed that if Air Canada was not ready to serve the public as its signs indicated, then the signs should be removed since they were meaningless.

In response to the first complaint, Air Canada said that none of its ticket agents recalled the incident. That day, four of the six agents on duty were bilingual and the other two agents were proficient enough in French to handle such a contact; there was therefore no reason for the behaviour reported by the complainant. Air Canada admitted that there was no excuse for the manner in which the customer had been handled; we were asked to relay the Company's apologies to the complainant and to assure him of its sincere desire to provide the service to which he was entitled. Upon hearing of the second complaint, Air Canada again expressed its apologies.

We felt that the alleged attitude and behaviour of the Air Canada employees involved, which was not denied by the Company, could only be described as incredible.

Air Canada, deploring the incidents reported and conscious that occurrences such as these were particularly sensitive in the National Capital, appointed a bilingualism co-ordinator for the District of Ottawa. His primary task was to prepare a complete and detailed analysis of the problem and develop specific recommendations for certain areas, including the matter of language of service to the public. Also established was a steering committee comprising key district personnel with occasional regional and corporate participation.

In terms of concrete measures, Air Canada had, even before receipt of these complaints, fixed the long-term objective of 100% bilingual capability at all customer-contact positions in Ottawa. The Company was therefore able to confirm that all *new* employees recruited for work in the Ottawa region were bilingual. Any changes would take place gradually and in no case would a unilingual employee lose his position.

Consequently, Air Canada agreed that it must find an intermediate, short-term solution that would ensure effective service in both official languages. Steps were therefore taken to provide for a bilingual ground hostess and additional bilingual part-time personnel for peak periods. Our Office recommended, in addition, that certain counter positions be identified as offering service in both languages and manned at all times by bilingual personnel, but the Company preferred the concept of working teams which permitted unilingual agents to resort to the services of a bilingual colleague. Our Office believed that there were practical difficulties with the latter solution and our misgivings have been borne out by subsequent complaints of the same nature.

Discussions will continue until service in both official languages is offered continuously and as a matter of course in the National Capital.

Sometimes, it seems, we must resign ourselves to the attitude: better late than never. Federal departments and agencies sometimes take what appears an eternity to accomplish minor changes that benefit the public they serve. To that group Air Canada unfortunately belongs.

A correspondent described a situation that had occurred at the Air Canada Reservations Office on Albert Street, Ottawa, in May 1977. While waiting for his number to be called, he noticed that most of the ticket agents were not calling the numbers in both official languages and, as luck would have it, he arrived at the wicket of one of the agents calling numbers in English only. When he addressed her in his language, she replied that she didn't speak French and offered to serve him in English. The complainant had to ask for service in French before being directed to a bilingual agent available nearby.

Several complaints concerning this problem had been brought to Air Canada's attention in the past and in September 1973 Air Canada had stated that it hoped to increase the number of bilingual employees through recruitment, transfers and language training. It also informed our Office that, starting in October of that year, a bilingual hostess would be stationed near the entrance of the Albert Street Office to direct customers to counter employees able to serve them in the official language of their choice.

When this latest complaint, along with the earlier commitment, was brought to its attention, Air Canada replied (although the idea had been first thought of in 1973) that the bilingual receptionist service was planned for October 1977. The Company added that, as of August 1977, some 60% of the agents having contact with the public at that office were bilingual and several unilingual agents were in the process of taking French-language training.

Air Canada announced in November 1977 that a bilingual receptionist was available to direct customers to the ticketing positions and to ensure that they obtained service in their preferred official language. The Commissioner expressed the hope that the proportion of bilingual employees in public-contact positions would be increased so as to provide a further improvement of service for Air Canada customers in the National Capital.

File Nos. 5224 and 5454—Canadian National

One of the elements to be considered when examining the language of work within federal institutions and agencies is the availability of written material in both official languages.

Two complaints were received that the number of publications available in French at the CN Headquarters and St. Lawrence Region Library in Montreal was not sufficient to meet the needs of the employees. One of the complainants also noted that the receptionist at the Library did not speak French and therefore that any requests for information had to be made in English. The other complainant mentioned that the small quantity of French books in the Library was more often than not already out on loan when requested. Administrative sciences was reported to be one field where the dearth of material was particularly glaring, although Montreal bookstores abounded in French books on this subject.

A visit to the CN Library revealed that the librarian and her staff were conscious of the need to offer services in both official languages and, with nine bilingual employees, capable of meeting this requirement. The receptionist, although not bilingual, was able to identify the Library and to transfer calls to officers in both official languages.

It was also ascertained that French language books concerning railways were by no means plentiful; consequently the librarian was making efforts to secure relevant material in French from Europe. She also expressed a willingness to purchase administrative sciences material providing the subjects covered were in keeping with the criteria used by the Library in making selections for purchase.

The librarian subsequently sent us copies of lists of new acquisitions. These lists, published bi-weekly, reflected an increase in the percentage of publications in the French language from 11% to 38% in a three-month period. We felt assured that the CN Library would continue its efforts to serve employees of both linguistic communities in a manner consistent with the provisions of the Official Languages Act.

File Nos. 5986 and 6161—Canadian National

Many complaints concerning the New Brunswick region have been dealt with by our Moncton Regional Office. Such was the case with the following complaints which concerned an enterprise located on the premises of a federal agency.

Two complaints were received about the news-stand located in the Canadian National Hotel Beauséjour in Moncton. The problem was the lack of service in French and lack of French-language newspapers, magazines and other reading material. Our representative there dealt directly with the manager of the Hotel Beauséjour to arrive at the solutions described below.

The news-stand employee was instructed to answer “Un moment, s’il vous plaît” to any French-speaking client and to request the help of a

bilingual employee who would immediately come to his assistance. The manager also pointed out to the company that their lease specified that bilingual services were to be available at all times to patrons of the news-stand and suggested that the assistance of hotel employees should be no more than a temporary measure until news-stand personnel could offer bilingual services. Subsequently, the management of the news-stand hired a bilingual employee to work alternately with the unilingual employee and agreed to employ bilingual employees in the future. The existing arrangements with the hotel were also maintained for cases when they might be necessary.

With regard to the lack of French-language reading material, it was ascertained that only the daily newspaper *L'Évangéline* was regularly sold at the news-stand since other French language daily newspapers (e.g., *La Presse* and *Le Devoir*) arrived too late to be of interest to their clients. The news-stand management undertook to try to make arrangements so that they could be received more quickly, unfortunately without results so far. On the other hand, magazines such as *Sélection*, *L'actualité*, *Châtelaine*, *Paris-Match* and *L'Express*, as well as some paperbacks in the French language, were soon made available for sale.

File No. 5532—Canadian Penitentiary Service

The following is a case in which investigation of a complaint prompted our Office to carry out an in-depth study of a particular situation in a specific region—British Columbia—the results of which could well apply to other regions of the country.

According to the complainant, two or three bilingual French-Canadian nurses at the Abbotsford Regional Psychiatric Centre refused to provide psychiatric treatment in French to francophone inmates on the grounds that they were assigned to unilingual English positions and received no compensation for bilingualism. In addition, the inmates concerned were reportedly told that if they wanted treatment in their own language they would have to be transferred to a penitentiary in Quebec.

The Canadian Penitentiary Service (CPS) stated that there were only two francophone employees at this psychiatric centre and neither was employed as a nurse. There were, however, two bilingual anglophone nurses. One of them was unit head and, according to the CPS, she would never refuse to provide services to French-speaking inmates, even though she was not in a bilingual position. The other nurse apparently met the language requirements of her position, which was designated bilingual.

The CPS indicated that the staff could provide psychiatric care in French upon request, although they could not do so twenty-four hours a day. It did not understand the complaint since no request for services in French had been recorded.

Therefore the CPS felt that the complaint was not admissible because it did not know of any francophone nurses on staff and certainly not of anyone who would refuse to provide treatment in French for the reason alleged.

In the light of this reply, which drew strong objections from the complainant, and of new information, we suggested that, in the interests of a thorough investigation of the complaint, two of our officers should carry out an on-site study of the availability of bilingual services at the Abbotsford Regional Psychiatric Centre and New Westminster Penitentiary. Accompanied by a CPS representative, the two officers visited the institutions concerned. They interviewed about thirty employees and six inmates, including the complainant, and assessed the extent to which services were available to inmates in both official languages.

Following the investigation, we recommended that the Canadian Penitentiary Service:

1. during preparations for the planned merger of the Canadian Penitentiary Service and the National Parole Service, and in any action resulting from the Report of the Sub-Committee on the Penitentiary System, take into account the requirements of the Official Languages Act, taking it for granted that there is a demand for services in both official languages on the part of inmates in all regions of the country and increasing, where circumstances necessitate it, the number of bilingual positions;
2. issue, by December 31, 1977, a complete official languages policy, including a description of the practical measures which the Canadian Penitentiary Service intends to take in order to comply with the Act;
3. use the observations, proposals and recommendations in this report, without necessarily being limited to them, to evaluate and implement the procedures and methods required to guarantee that the Act is respected in all regions;
4. clearly define in written directives, by March 31, 1978, the employees' duty to ensure that inmates can obtain services in the official language of their choice, while stating specifically that this does not in any way deny the rights or privileges of inmates whose language is not one of the two official languages;
5. re-evaluate the criteria used in establishing bilingual positions in all penal institutions, especially in the fields of medical, nursing, psychological and psychiatric treatment and care and in inmate-classification services, in order to guarantee inmates care and services in their own language
 - a) through the creation of bilingual positions for which the language requirements might, if necessary, be higher than those normally required for that category of position;
 - b) through the relocation of inmates or professionals within the Region;
 - c) through voluntary transfers by inmates, if necessary and as far as security permits; and
 - d) through other administrative measures such as the hiring of professionals on contract;
6. a) make, by March 31, 1978, a document available to all inmates explaining the language rights of inmates and describing the availability of bilingual services;

- b) accelerate the translation and publication of the guidebook for inmates of the Regional Reception Centre by December 31, 1977;
7. a) honour the commitment made by the Commissioner of Penitentiaries not to censor correspondence written by inmates to the Office of the Commissioner of Official Languages or that sent by the latter to inmates;
 - b) indicate clearly to employees and inmates in the appropriate manuals and guidebooks that all letters or communications addressed to the Commissioner's Office or coming from the latter are considered privileged and will not be censored;
 8. amend and update the forms containing information about inmates so that data on the official language preferred by each inmate can be entered and include this information in the computer records on inmates;
 9. a) reply to grievances in the same official language in which they are submitted;
 - b) include in the register of inmate grievances, at the institutional and regional levels, columns in which the official language of the grievance and of the reply can be recorded;
 - c) take linguistic factors into account when analysing the grounds for grievances;
 10. a) supervise and monitor closely the application of the Official Languages Act (including the investigation of complaints transmitted by the Office of the Commissioner of Official Languages) in all the services of the regional administration and penal institutions, with respect to both the language of service to the general public and the language of service to inmates by conferring the responsibility of the planning, implementation and monitoring of the application of the Act to an employee who reports direct to the Director;
 - b) regularly prepare data on the linguistic profile of the inmate population of the Region and on the language abilities of the staff and submit such data with the appropriate comments to those responsible for administering the various programmes at the regional level and in the institutions so that they may take such information into account when developing and planning services;
 11. examine new programmes such as the team concept and Living Units in the light of the Act in order to take the linguistic rights and needs of the French-speaking inmates into account;
 12. a) as quickly as possible, restore reception at the British Columbia Penitentiary of the only French-language radio station;
 - b) as far as security permits, encourage the formation of French-language social and cultural groups in the British Columbia Penitentiary and in the other institutions;
 - c) promote and encourage the participation of French-speaking residents of the region in the activities of these groups as far as security permits;
 13. a) prepare an inventory of all technical and professional courses which could be offered in French, either in the institution in question or by correspondence, and inform French-speaking inmates of the availability of such courses, including registration requirements;
 - b) ensure continuous liaison between the training service and the library in order to guarantee the availability of complementary books and magazines in French;

14. a) take inventory of French-language books, magazines and newspapers in the libraries of the Region's institutions;

b) establish an acquisition and loan programme among the libraries in order to ensure a better distribution of reading material in the two official languages;

c) place a special budget at the disposal of regional authorities as early as the 1978-1979 fiscal year for the acquisition of French material so as to ensure that a balance is achieved;

d) pay particular attention to purchasing French-language magazines and newspapers;

e) inform French-speaking inmates in writing (recommendation 6(a) above) of the availability of books and periodicals in French and of the possibility of requesting the purchase of French works for good reasons;

f) ensure that legal texts and documents are available in both official languages;

15. ensure that the classification, transfer, disciplinary and any other committees before whom an inmate must appear are able to communicate with the inmate in French if he has indicated that French is his preferred language;

16. study the problem caused by the presence of items in French in inmates' files in order to find a solution which will satisfy efficiency requirements and at the same time ensure that inmates do not suffer because of delays or errors in interpretation;

17. submit to the Office of the Commissioner of Official Languages, by December 31, 1977, an implementation plan for these recommendations and a precise schedule for those for which a deadline has not been set.

CPS representatives met with officials from our Office and informed them that in general the recommendations had been accepted. An implementation plan was later submitted on schedule.

File No. 3425—Consumer and Corporate Affairs

The problem of the quality of French versions of federal legislation was examined in a special study of the Department of Justice in 1976 (reported in the Sixth Annual Report). A case in point is the Canada Business Corporations Act which prompted one of our correspondents to lodge a complaint with the Commissioner. Thanks to the complainant, it was possible not only to improve the quality of the French version of a particular piece of legislation but also to accelerate the implementation of mechanisms by the Department of Justice to improve the quality of French in future legislation.

In 1974, a correspondent complained about the poor quality of the French version of Bill C-29 proposed to amend the *Canada Business Corporations Act*. The Bill had already been studied and approved by the House of Commons Standing Committee on Justice and Legal Affairs and had reached the stage of third reading in the Commons. The

complainant requested that we intervene in the matter with a view to having the Bill withdrawn from the Commons until the French text had been revised.

The Minister of Consumer and Corporate Affairs did delay third reading of the Bill in order to consult the complainant and the Quebec Bar Association, but the Bill was eventually passed before the French version was revised. The latter was subsequently sent to the Statute Revision Commission for review.

The Commissioner advised the Department of Consumer and Corporate Affairs that he understood how difficult it was, under the circumstances, to proceed otherwise. However, given the broader implications of the matter, he felt it warranted being brought to the attention of the Prime Minister. He recommended to the Government, through the Office of the Privy Council, that measures be taken so that a similar violation of the Official Languages Act would not recur.

Throughout 1975 and 1976, the revision of the French version of the *Canada Business Corporations Act* continued in the Department of Justice while the Department of Consumer and Corporate Affairs worked on amendments to that Act and also on a parallel Bill, the *Canada Non-Profit Corporations Act*. The Department of Justice also sought to standardize the terminology used in the current legislation and to correct any errors existing in the French versions of laws already in force.

In the autumn of 1977, we finally received the completed French version of the Bill amending the *Canada Business Corporations Act*. Although the complainant still expressed some reservations about the revised version, we felt that progress had been made.

File No. 5501—Employment and Immigration

While the use of an interpreter may, in some instances, be an acceptable means of offering service, genuine equality of service requires that the client be served in the official language of his choice by the appropriate departmental officer. The following case involving the former Department of Manpower and Immigration illustrates how the assistance of a nearby interpreter unwittingly led to inequality of service offered to a member of the public, a situation which would not have occurred if the Immigration Officer concerned had immediately followed authorized procedures.

The Commissioner decided to investigate on his own initiative a complaint registered in an open letter to the Prime Minister concerning difficulties encountered by a person requesting service in French at the Toronto Immigration Office.

When contacted, the Department said that an investigation had revealed that the charges had no foundation and that the Minister had written to the correspondent refuting his complaint. It explained that a number of employees on the Immigration staff in Toronto were bilingual and could and did meet the demand for service in French. In addition, the Department had available translators who, although they were present to interpret foreign languages, also knew French and could be called upon to assist the regular officers.

On the occasion in question, the complainant had addressed himself in French to a unilingual English officer alongside whom a translator who spoke English, French and Spanish was dealing with another client. The officer admitted to the complainant that he did not speak French. Since the translator had witnessed the exchange between the complainant and the officer, the latter did not see the need to ask for assistance from a bilingual colleague as he anticipated the translator's help would be forthcoming. As soon as the translator had finished with his client, he immediately turned to act as interpreter between the complainant and the officer.

The Department was satisfied that the complainant had not been denied service in French. In fact, had the officer called on one of the bilingual regular officers, the client would in all probability not have been served quite as speedily as he was by this translator, knowledgeable in immigration matters and readily available.

In considering this explanation, we were at a loss to understand why Immigration translators in Toronto were expected to serve French-speakers, especially as the Department stated that there were a number of bilingual employees on the staff. We felt that the unilingual officer to whom the complainant addressed himself should have called on a bilingual colleague to serve the complainant and that his failure to do so constituted an infraction of the Official Languages Act. To prevent further incidents of this kind, we recommended that the Department take the necessary steps to ensure that unilingual Immigration Officers in Toronto and at the Toronto International Airport always call immediately upon a bilingual colleague to serve clients in the other official language or ask their supervisor to arrange for this to be done; and that the Department instruct its Immigration Officers in Toronto and at the Toronto International Airport to refrain from offering to serve clients through a translator or interpreter in either of the two official languages.

In replying, the Department noted that the interpreter had volunteered his assistance spontaneously in the interest of good service and offered the opinion that any further intervention would probably have compounded the contentious situation that had developed. Nevertheless, the Department confirmed that the recommendations would be implemented and later forwarded a copy of a departmental directive to that effect.

A department with good intentions often has what it considers to be "acceptable" arrangements for providing service in the other official language. However, these arrangements may not be sufficient to comply with requirements of the Official Languages Act.

A related area of concern is that institutions tend to conclude that there is little demand for service in French before they offer it. Our Office believes that before assessing demand for French, bilingual services should be actively offered, since experience has shown that demand increases as the public progressively learns of the existence of the service.

Both situations were encountered in the following incident involving the former Department of Manpower and Immigration.

A correspondent complained that when she telephoned the Immigration Office at Windsor, Ontario, she was unable to receive service in French.

When informed of the complaint, the Department explained that no positions at that office were identified as bilingual. On the limited occasions necessary, service in French was provided either by calling on two members of the staff on shift work who spoke French or on bilingual employees at the Canada Manpower Centre and Customs Office that were in close proximity to the Immigration Office. Unfortunately the Department was unable to say why these facilities were not used on that specific occasion because the staff there could not recall the incident.

Our Office was of the opinion that the use of Canada Manpower Centre or Customs personnel did not constitute equality of service in both official languages since such persons could not be familiar with the work of the Immigration Office and could only act as translators or interpreters between the client and the Immigration Office personnel.

Furthermore, since several persons in the office were in frequent contact with a public which included travellers between Windsor and Detroit as well as a significant number of resident French speakers, we felt that the Immigration Office at Windsor should be able to offer bilingual service without having to resort to outside sources. We therefore recommended that sufficient positions in that office be designated bilingual to ensure adequate services at all times, and that availability of such services be made known to the public by use of a counter card or other appropriate means.

In response to these recommendations, the Department agreed to identify a receptionist and an immigration counsellor position as bilin-

gual. A counter card advertising the availability of service in French was placed on the reception counter at the Windsor office.

We judged these measures adequate.

File No. 4129—Indian and Northern Affairs

Sometimes, departments adopt—in good faith—administrative procedures based on an erroneous interpretation of the Official Languages Act. This is what happened at the Department of Indian and Northern Affairs, where it was felt that the Quebec Regional Office should systematically correspond with the public in French and that it was only required to use English when this was specifically requested. In the case described below, the complainant not only felt that his rights had been encroached upon, but also stated that, for purely linguistic reasons, he had lost a large sum of money.

The complainant, an anglophone contractor whose offices were in Ottawa, stated that the Department's Regional Office in Quebec made him fill out forms in French when tenders were called for the construction of two buildings in Mauricie National Park, Quebec. The complainant felt that the tender forms should have been available in both official languages.

After being awarded the contracts, and once the work had begun, he asked the Department to send him the specifications and correspondence in English and provide him with an inspector who could speak that language. The Department's regional director refused to grant the contractor's request, stating that in the Province of Quebec the Department was not obliged to provide documents and services in English. Finally, the complainant claimed that, because of this refusal, he was unable to carry out his obligations within the specified time limit and that, as a result, he had lost a considerable sum of money.

On being informed of the complaint, the Department first stated that its policy was that the Quebec Regional Office should conduct its correspondence in French unless, of course, it was specifically requested to do so in English. We pointed out that it was the client's choice, not the Department's, that determined which language was to be used. In reply, the Department stated that it answered letters received from the public in the official language used by the correspondent, and that information, documentation, films and so on, were also available in Quebec in both official languages. However, with respect to construction plans and specifications, the Department indicated that these were prepared in French and subsequently translated into English if the tenderer so requested. The Department added that this policy would subsequently be revised and modified and that it would keep us informed of any change.

As for the complaint from the contractor, the Department preferred not to comment since the complainant intended to bring the matter before the courts.

The Department subsequently sent us a draft of its revised directives in which it specified that calls for tenders were henceforth to be issued in both official languages when made at the national level, in the National Capital Region and in regions where there was sufficient demand to merit this service. The text also stated that contracts, plans and specifications were to be drawn up in both official languages.

Some eight months after the investigation was initiated, the Department sent us the final version of its revised directives. The document stipulated, among other things, that “regardless of the area or location where the tender call is made, the tenderer is entitled to use the official language of his choice in filling out the documents relating to his tender”

File No. 5589—Justice

The Commissioner of Official Languages has always taken the view that the Official Languages Act recognized the right of a public servant to work in the official language of his choice, and that this included the right of an individual to receive and discuss his performance appraisal in his own official language.

The complainant alleged that evaluations of departmental personnel occupying bilingual and unilingual French positions were usually done in English only. A series of performance appraisals were due to be completed soon and he was concerned that this procedure would be repeated. We asked the Department for assurances that its French-speaking employees would in fact be able to read and discuss their evaluations in French.

The Department replied that it was in the process of completing performance appraisals for approximately 400 legal officers and, rather than offering the assurances desired, asked for further details surrounding the complaint. These were denied since it is contrary to the Commissioner’s practice to provide information from which the complainant’s identity could be inferred. We pointed out that we were mainly interested in forestalling further violations of the Official Languages Act and repeated our initial request for assurances.

The Department said that during the past three years it had been gradually developing and implementing a more effective employee performance evaluation process. It assured us that new administrative procedures would be introduced to guarantee that French-speaking employees would be able to read and discuss their evaluations in French.

Nevertheless, one month later, the complainant reported that his recent evaluation and that of other French-speakers had been done entirely in English. Consequently, we requested the number of French-speaking legal officers evaluated in the previous month and the number evaluated in French. We also asked for more details about the new administrative procedures and the date by which they would be applied. The Department replied that 30 out of 94 French-speaking legal officers had been evaluated recently in French. An amended evaluation form, which would permit the employee to indicate in which official language he or she wished to have the form completed and discussed, would be in use within a few months.

We will be monitoring the new procedures in a future series of evaluations.

File No. 4628—National Revenue (Customs & Excise)

It often becomes apparent that there is a gap between bilingualism on paper and real service to the public in both official languages. A department can identify positions as bilingual, but the resulting service may not be as available as one might hope.

A correspondent complained that Francophones did not receive equal treatment at certain customs posts. He pointed out that on his latest trip through the Lansdowne, Ontario, customs post (near the Thousand Islands) he had had to leave his car and enter the office so as to be served in his language by a bilingual officer because the officer at the sentry-box was unilingual English-speaking. However, when he had visited the same post a year before and had answered the necessary questions in English, he was able to remain in his car and to proceed more quickly.

When informed about the complaint, the Department stated that of the 37 Customs Inspector positions at the Lansdowne location, 11 had been identified bilingual. The work schedule allowed for provision of bilingual capacity on every shift. However, as the public demand for bilingual services was constantly increasing, the Department was reviewing the present bilingual strength with a view to increasing the number of bilingual personnel required to provide service at all times.

A few months later, in an attempt to rectify the situation, the Department identified six positions as bilingual and created some parallel positions to provide immediate bilingual service to the travelling public at Lansdowne. Furthermore, employees at that location were once again asked to confirm that they had reviewed the guidelines for providing bilingual service to the public at all times.

Unfortunately several difficulties arose. Only four incumbents of the six newly-identified bilingual positions were willing to undergo language training¹, and because of the volume of traffic and holidays it was impossible to send them at that time. In addition, the Department was unable to undertake a recruitment programme to staff the parallel positions because of the reduction in resources made available for that purpose by Treasury Board. Nevertheless, the Department expressed the hope that the present complement of bilingual officers would make an extra effort and provide the public with bilingual service.

Because of similar complaints about service at other customs ports, the Department set up an Information Programme dealing with the everyday problems faced by Customs Officers in the course of their work. Representatives of our Office participated in an information session held at the Toronto International Airport. Customs Officers there made several interesting suggestions to help improve bilingual services, such as the better placement of signs at the airport to indicate to travellers the presence of bilingual Customs Officers at certain counters. Similar sessions were planned for other Customs locations such as Lansdowne. Our Office urged the Department to press on with this programme and assured it of our participation when required.

Although no specific solution was found in the case of Lansdowne, the general approach of the Department in setting up the Information Programme was a useful initiative which will improve the situation at all customs ports.

File Nos. 2761, 3145, 4790 and 5283—Post Office

An unsatisfactory language situation at various revenue post offices in the National Capital Region has existed for many years. A revenue post office is usually operated by the owner of a private business such as a variety store, bookstore, tobacco shop, etc. The proprietor, who signs a contract with the Post Office Department to dispense postal services, hires and pays the salary of the staff.

The Commissioner has had difficulty convincing the Post Office Department that it is imperative that service at all revenue post offices in the National Capital Region be offered in both official languages at all times. The following cases illustrate the difficulties involved in finding a solution to this problem.

In the summer of 1974, a correspondent complained about the lack of service in French at the post office located in the McArthur Plaza in Vanier, a predominantly French-speaking area within the National Cap-

¹ The other two were in the category of employees who, as of April 6, 1966, had at least ten years' continuous service and who were therefore allowed to elect not to become bilingual.

ital Region. The Post Office Department admitted that the postmaster was not fully bilingual and followed the departmentally-approved practice of offering the use of a French-language telephone service to French-speaking customers. The complainant objected to the inequality of service involved. We, being of the same opinion, asked the Department to take measures to ensure adequate service to the French-speaking public. The Department, although agreeing that the situation needed improvement, was unwilling to take action until the results of a study on revenue post offices was completed. In the course of dealing with a similar case, the Department also stated that revenue post offices were not subject to language requirements, and that they did not have control over the hours during which bilingual service was offered since the employees were hired and paid by the proprietor. We disagreed with the need to await the results of the study and reiterated that service to the public in both official languages was mandatory and should be of equal quality for each language group.

Additional cases of lack of service or inadequate service in the National Capital Region were brought to light in the period 1975-1977, but despite further discussions between our Office and the Post Office no agreed solution was reached. During the summer of 1977, after numerous exchanges, we were informed that the Department's language policy regarding revenue post offices in the National Capital Region would remain unchanged, that is to say, postmasters would not be under an obligation to provide service in the two official languages.

The Commissioner expressed very grave concern that the Official Languages Act was not being respected, since under the Act every department and agency of the Government of Canada had the duty to ensure that members of the public could obtain services in both official languages in the National Capital Region. He was also still of the opinion that, although contractors had rendered valuable services to the Department through the years, both official language communities were nonetheless entitled to the same quality of treatment.

The Post Office Department subsequently reconsidered its position and announced that it recognized the need to provide bilingual service to customers in the National Capital Region and would take appropriate steps to provide it. The postmasters of post offices which were unable to provide such service would be requested to sign a statement that the bilingual requirement would be adhered to whenever additional or replacement personnel were employed. The Department also disclosed that, since the beginning of July 1977, only postmasters who could offer bilingual services had been hired. Finally, the Post Office undertook to make every effort to conform with the Official Languages Act.

The concepts “language of work” and “language of service” still give rise to problems. As was emphasized in our last Annual Report, the right of public servants to work where possible in the official language of their choice must not be allowed to limit the taxpayers’ right to be served in their own language. It was this principle that the Post Office was attempting to respect when, in order to rectify a long-standing problem, it identified bilingual and unilingual wickets in a Montreal postal station.

A number of English-speaking citizens complained that the clerks in Postal Station “B” on University Street in Montreal systematically refused to serve them in English.

The Post Office answered that it was well aware of the language problems at that station. According to the Department, they were caused by a small number of employees who interpreted the Official Languages Act in their own way, and it undertook to examine the situation carefully. Furthermore, the Department indicated that negotiations were in progress with the Canadian Union of Postal Workers on the identification of clerks’ positions, and that it hoped that, once the agreement was signed, the problem of serving the public in both languages would be resolved.

After a long silence, the Postmaster General revealed that 20 clerks’ positions at Postal Station “B” had been identified as bilingual. Twelve of those holding these positions were considered to be bilingual already, and four would have the benefit of language training. The other four, exempted from language training because of their long service, would be assigned to unilingual French wickets. The Postmaster General specified that the clerks working at the bilingual wickets had been instructed to serve the customer in the latter’s official language. He concluded that these measures should resolve the language problem at that station. For its part, the Department assured us that the authorities in the Quebec region were watching the situation closely, and that, if any further complaints were made, other measures would be taken.

Two months later, we did in fact receive two further complaints. The Department then decided to identify two types of wickets—bilingual and unilingual French. While we considered this solution satisfactory, we cautioned the Post Office to ensure continuous service in English by avoiding situations in which only the unilingual French wickets were open. The Department assured us that this recommendation would be followed.

File No. 5562—Post Office

Relations between federal government employees and the public are often strained when the employee is not aware or has not been reminded of his department's policy on official languages.

Also, in some instances, a department may not know that a certain practice is in violation of the Official Languages Act. Such was the following case, involving the Post Office Department, concerning the posting of unilingual English and French billboards at widely separated points in bilingual areas.

A correspondent informed us that when he noticed a French sign above a service wicket at the Snowdon post office in Montreal, and asked an employee the location of the English version, he was told that it didn't matter as long as there was a sign in French. This post office, according to the complainant, was in a predominantly English-speaking area of Montreal. He also stated that, in the fall of 1976, a number of large outdoor billboards were used for the Post Office Department's Mail Early Campaign and that all of them in the Snowdon area were in French only.

The Post Office Department observed that the sign in question had been removed and that the manager of the postal station would ensure that all signs posted in the future were bilingual. As for the unilingual French billboards, some had in fact been installed the year before, but separate unilingual English billboards had also been used. The Department believed that this practice was not in violation of the Official Languages Act. On this point, we were of the opinion that the posting of English and French billboards at widely separated points did not satisfy the requirements of the Official Languages Act. We therefore recommended that the Department take steps to ensure that all billboards in bilingual areas appeared either in a bilingual format or in English and French versions that were within a short distance of each other.

The Department accepted the recommendation. All billboards posted in bilingual areas would henceforth appear either in a bilingual format or in English and French versions posted side by side. The Department made it clear that no unilingual displays would be permitted in a bilingual area.

File Nos. 5499, 5506, 5604 and 5974—Public Service Commission

During the year, the Commissioner received four complaints which prompted him to take a close look at several linguistic aspects of the staffing process. The action of the complainants led the Public Service Commission to change the text of its continuing competition poster as

well as the text of its Staffing Manual to specify, for example, the level of proficiency in the second language required of members of a board and the nature of bilingual interviews. Everyone applying for a position in the public service should now be assured that his language rights will be respected at each step of the staffing process.

The complaints concerned the proficiency in the second language of certain members of boards who were responsible for screening applicants, correcting written examinations and conducting bilingual selection interviews. The complainants claimed that members of these boards were not all capable of understanding, and therefore of evaluating, what the applicants had written or said in French.

Our Office first of all made enquiries concerning the level of language proficiency of the board members named by the complainants. We pointed out to the Commission that in our opinion not all of the members had sufficient French to enable them to communicate fully with a French-speaking applicant. Consequently, we asked the Commission to monitor more closely the implementation of our 1974 recommendation that board members have this capacity—which the PSC considered to be already in effect. Our Office and the Staffing Branch of the PSC also decided to study measures that could be taken to prevent situations of this type from recurring.

Following a series of meetings with our Office, the Commission agreed to change its *Staffing Manual* and include, in the case of all interviews, a definition of the minimum language proficiency required of each board member. It also agreed, in the case of bilingual interviews, to ensure that there would be recognition of the need for linguistic balance in the questions asked and to guarantee that the applicant would have the option of using either or both official languages to communicate with the board and of asking that any question be translated.

It was understood that the above elements would be brought to the applicant's attention in the letter sent to him by the staffing officer inviting him to an interview. The Commission would also add to its Manual a note stating that those responsible for the screening process and for correcting examinations must have the necessary proficiency in their second official language. Finally, the Commission changed its continuing competition poster to incorporate these new elements.

We found these measures generally satisfactory, although it was recognized that evaluating the level of language knowledge of board members could pose problems of a practical nature.

Analysing the situation of Francophone federal employees in his Third Annual Report (1972-73) the Commissioner wrote that the Government would have to provide professional training and development that was equal in quality and access for both language groups. The case in question, while illustrating how difficult it still is to achieve this equality, also shows how it is possible to bring about significant changes in this area.

An engineer from Quebec employed by the Department of Public Works registered for a course given by his Department in Montreal. Based on the explanatory brochure, he thought that the course would be offered in French, or at least in both official languages. Once the course had begun, the complainant discovered that this was not the case. According to him, the course which he attended and in which most of the participants were francophone, was given largely in English. Moreover, although the Department had arranged for simultaneous interpretation, according to the complainant only one of the three interpreters was satisfactory. Finally, at the end of the course, the complainant received a certificate which bore a seal in English only, and on which his name was written on the side reserved for English.

While fully understanding the disappointment of the complainant, who two months later received a corrected certificate, the Department stated that the course had been well prepared, presented and received. At the same time, it informed us that the general policy governing the language used in its courses was that, where a demand existed, training programmes were prepared as much as possible in both official languages. In the case of the series of courses which followed the one in which the complainant participated, the Department stated that it had provided interpretation services and bilingual texts and that the proportion of French documents was much greater. However, it deplored the limited amount of resources and time available to it for translation, correction, periodic up-dating and publication of its course material in both official languages.

We felt that the measures taken to offer bilingual services during the second series of courses represented a step in the right direction, but that they fell short of the requirements of the Official Languages Act. We reminded the Department that courses given or sponsored by federal institutions, including courses of a technical nature, were to be offered, as far as possible, in both official languages. Furthermore, this requirements had been the subject of a recommendation following a special study which our Office had conducted, and the Department had stated that this recommendation had been implemented.

Admitting that its efforts to increase and reinforce the use of French had perhaps been insufficient during the first series of courses, and given the fact that access to training should be provided on an equal basis in both official languages, the Department reaffirmed its intention to develop its services and programmes. For this purpose, one section of its Education, Training and Development Branch in Ottawa was assigned specifically to handle French courses and programmes. Furthermore, our Office subsequently received the list of courses available in French. Once new needs had been identified, the list would be extended. Noting that the Department had begun to take concrete measures to establish a better balance between the two languages in its professional training programme, we closed the file.

File No. 4360—Royal Canadian Mounted Police

A complaint which might initially seem trivial sometimes reveals quite serious deficiencies. For example, the investigation of a complaint involving the Royal Canadian Mounted Police which centred on an alleged lack of services in French at the Calgary airport led, not without mishaps along the way, to the adoption of a written policy on official languages by the Ministry of the Solicitor General of Canada, which is responsible for the RCMP.

A francophone traveller objected to the fact that an officer of the RCMP on duty at Calgary International Airport answered his questions in English when the traveller had spoken to him in French.

The complaint itself was resolved more or less satisfactorily. What should be noted here is that during the investigation, the representatives of the RCMP informed us that the overall plan relating to the official languages which was to have been presented on January 1, 1977, had been discussed and then rejected by the Ministry of the Solicitor General. Yet in a special study in 1974, our Office had recommended preparation of an implementation programme for such a plan. Furthermore, the RCMP admitted that they did not have a written policy on the official languages and that their overall plan was dependent upon the policy of the Ministry of the Solicitor General. However, the Ministry had not yet adopted a policy, having preferred to wait until the Government revised its own.

We deplored the fact that several years after the proclamation of the Official Languages Act, the Ministry had not yet distributed its policy. Consequently, we suggested that it announce a policy without delay for itself and its constituent branches, and then revise it later in the light of the new Government directives as required.

The Ministry finally announced in May 1977 that a policy had been adopted and provided us with a copy. In our opinion the policy is generally satisfactory, except that it allows each branch to decide upon the implementation date, and that telephone service and internal documentation are not required to be bilingual in certain regions.

Files Nos. 4353 and 5452—The Seaway International Bridge Corporation Ltd.

The addition of an equivalent French name for a Crown corporation is one of the small but not insignificant steps taken this year.

Two complainants pointed out that this Crown corporation had only an English name.

The company said that it was managed jointly by the St. Lawrence Seaway Authority and representatives of the United States Government and that it administered an international bridge belonging to the U.S. and Canada, which spanned the St. Lawrence at Cornwall, Ontario. The law incorporating the company mentioned only one name for it—The Seaway International Bridge Corporation, Ltd.; hence the exclusive use of this name.

We brought the matter to the attention of the St. Lawrence Seaway Authority and pointed out that even though the law incorporating the company mentions only its English name, the Canada Corporations Act (Section 216) and the Canada Business Corporations Act (Section 10) provide for both language versions of corporate names. We were of the opinion that, as a subsidiary of the St. Lawrence Seaway Authority, the company was a federal institution under the terms of the Official Languages Act and should conform to it. We therefore recommended that the St. Lawrence Seaway Authority ask the Canadian representatives on the Seaway International Bridge Corporation, Ltd., to open talks with their American counterparts with a view to studying the possibility of also using a French form of the company's name.

The Seaway International Bridge Corporation, Ltd., itself replied to us. It said that the provisions of the Canadian Corporations Act and the Canadian Business Corporations Act did not apply to it because it was established by letters patent issued by the Department of Consumer and Corporate Affairs. The company would have to resort once again to the latter procedure in order to implement our recommendation.

Four months later, the Seaway International Bridge Corporation, Ltd., told us that its American counterparts had approved the use of a French form of the company's name and that it was seeking the necessary authorization from the Department of Consumer and Corporate Affairs.

The Corporation later informed us that the Department of Consumer and Corporate Affairs had issued the necessary letters patent recognizing the following bilingual name for the Crown corporation administering the international bridge at Cornwall: The Seaway International Bridge Corporation, Ltd.—La Corporation du pont international de la voie maritime.

PART IV

LANGUAGE AND AVIATION: AN UPDATE

In our last two annual reports, we commented in some detail on the complex and sometimes dramatic events relating to bilingual air traffic control in Quebec, and associated aviation issues of which language is a component. Events of the past year have shown how intricate these issues are and how naive it would be for one to assume that language reform in the sphere of aviation could be dissociated from broader considerations of a technical, judicial and labour-related nature.

Increasingly complex though the question has become, we have been happy to note that 1977 was a period of relative calm, a year in which patience and professionalism replaced earlier emotions and extravagances. Everyone, it seems, agreed that a number of judicial and quasi-judicial proceedings relating to language and aviation should be allowed to take their course, even if they appeared at times to advance at a snail's pace.

In June 1977, the three-member Commission of Inquiry into Bilingual Air Traffic Services in Quebec submitted an interim report on the question of bilingual visual flight operations at Mirabel, Dorval and St. Hubert airports and in the Montreal Terminal Radar Service Area (TRSA). The Commission recommended the use of bilingual air traffic control for aircraft operating under visual flight rules at St. Hubert, passing through the Mirabel control zone, and within the Montreal TRSA. Owing to the complexity of the traffic mix and traffic density of aircraft operating under VFR and IFR¹ at Dorval, the Commission decided against making any recommendations for that airport "at this time".

In an addendum to the interim report, one of the Commissioners, Mr. Justice Chouinard, indicated that he was in favour of adopting a recommendation of the Ministry of Transport's Mirabel Task Force to the effect that air traffic control services be made available in both official languages to all VFR flights at Mirabel (i.e., including takeoffs

¹ VFR Visual Flight Rules; IFR Instrument Flight Rules.

and landings), rather than simply for aircraft *passing through* the Mirabel control zone. Two developments relating to this question took place in December 1977: one was a Notice to Airmen issued by the Ministry in which VFR takeoffs and landings at Mirabel were prohibited to student pilots and to private pilots who do not hold an IFR endorsement; the other was a letter from the Administrator of the Canadian Air Transportation Administration, Mr. W. McLeish, to Mr. J. Y. Fortier, Counsel for the Commission of Inquiry, apprising the Commission of the change in the operating situation at Mirabel, and of the impact this change might have on the Commission's recommendations with respect to takeoffs and landings at Mirabel.

The Commission of Inquiry has now moved into the next stage of its work, relating to the development of procedures for the introduction of bilingual communications in the IFR area. Before making a decision on bilingual IFR in the province of Quebec, the Commission is awaiting the results of simulator tests being conducted by the Ministry of Transport. Several aviation-related associations already participating in these tests were joined, in November 1977, by the Association des Gens de l'Air du Québec.

Four other matters, distinct from the Commission of Inquiry's responsibilities but related to the broader question of language and aviation, are at present *sub judice* or under examination by a quasi-judicial body.

The first of these is the September 1976 decision of Chief Justice Deschênes of the Quebec Superior Court in the case of *Serge Joyal et al v. Air Canada et al*; that decision is currently under appeal by Air Canada. In his decision, Chief Justice Deschênes annulled a section of the Air Canada Flight Operations manual which would have obliged Air Canada pilots to speak English exclusively on the flight deck, except when communicating with passengers. Air Canada was also ordered to prepare a French-language lexicon relating to the flight deck equipment, including manuals, for the use of its pilots. This decision, which has significant implications for the issue of language of work, was based on the wording of Section 2 of the *Official Languages Act*. Chief Justice Deschênes held that Section 2 of the Act was more than merely introductory or declaratory in nature, and that it serves to impose a legally enforceable duty upon all institutions of Parliament and of the Government of Canada which are subject to the Act.

A second and related legal matter, which has also been the subject of an appeal, is the January 1977 decision of Mr. Justice Marceau of the Federal Court, in the case of the *Gens de l'Air et al v. The Honourable Otto Lang and the Attorney General of Canada*. At issue in that case was the authority of the Minister of Transport to make regulations and issue an Order under the *Aeronautics Act* concerning the language to be used

in communications between pilots and air traffic controllers in the Province of Quebec. In rendering his decision, Mr. Justice Marceau had regard to the reasons for decision given by Chief Justice Deschênes in the Joyal case, but found nevertheless that the Minister had the power to make the statutory Order in question. Mr. Justice Marceau also apparently disagreed with the decision of Mr. Justice Deschênes, in so far as it related to the legal status to be afforded to Section 2 of the *Official Languages Act*. Mr. Justice Marceau was of the opinion that the Section was of a declaratory nature, and must be read in the context of the Act as a whole.

A third matter, which also relates to the language of work issue, is now awaiting a decision by Mr. Justice Legault of the Quebec Superior Court; at issue in that case (*Serge Joyal and Hugo Tremblay v. Air Canada et al*) are a number of language- and work-related questions involving Air Canada and its employees at the Dorval Maintenance Branch and Purchasing Facilities Branch. These questions include the recruitment, hiring, training, qualification and representation of Franco-phones, the availability of French-language documentation, bilingual supervisory staff, and other matters relating to language of work at the two branches.

The fourth issue is the request by the Syndicat des Contrôleurs aériens du Québec (SCAQ) for certification as a bargaining group separate and distinct from the Canadian Air Traffic Control Association. Their request was heard in the spring and summer of 1977 by the Public Service Staff Relations Board. As of our going to press, the Board had still not rendered its decision, but it is to be hoped that it will appear without further delay.

We in this Office, like those directly involved in aviation itself, await with the greatest interest the decisions that these various judicial and quasi-judicial bodies will, in all probability, hand down in the course of the coming year. We will continue to monitor developments, keep in close touch with all interested parties and offer whatever assistance we can to ensure that the complex problems associated with language and aviation are satisfactorily resolved.

Appendix A

Official Languages Programmes: Who Does What to Whom?

OFFICIAL LANGUAGES PROGRAMMES: WHO DOES WHAT TO WHOM?

Four agencies are involved, in varying degrees, in the application of the Official Languages Act and the implementation of government policy with respect to official languages: the Office of the Commissioner of Official Languages; the Treasury Board Secretariat; the Public Service Commission; and the Secretary of State's Department.

1. The Office of the Commissioner of Official Languages

As an Officer of Parliament the Commissioner has functions quite different from the three governmental agencies noted above, whose purpose is to implement and ensure respect for government policy in the area of official languages. The Commissioner's Office, for its part, is responsible for taking all actions and measures within the authority granted him under the Official Languages Act to ensure recognition of the status of each of the official languages and compliance with the spirit and intent of the Act in the federal administration; investigating any complaint that the status of an official language is not being recognized or that the spirit or intent of the Act is not being complied with in federal institutions; carrying out any investigation or special study on his own initiative within any federal institution; as a result of an investigation, reporting a finding or recommendation for action to the Clerk of the Privy Council, to the administrative head of the federal institution concerned, and in the case of a complaint, to the complainant; and submitting an annual report to Parliament.

2. Treasury Board Secretariat

Within the area of official languages policies, the Treasury Board Secretariat is responsible for producing general guidelines and criteria to provide overall direction to departments; providing technical and specialized assistance to departments as required; reviewing the annual plans and reports of departments on their official languages programmes, and recommending action as appropriate; auditing and evaluating departmental official languages activities; monitoring the overall progress of the Public Service towards the achievement of official languages objectives; managing the Official Languages Information System; consulting employee representatives through the Official Languages Committee of the National Joint Council; and preparing an annual report to the Government on the status and evaluation of official languages policies and programmes in the Public Service.

3. Public Service Commission

The Public Service Commission is responsible for ensuring compliance with the Public Service Employment Act and Regulations; providing a Language Selection Standard and appropriate testing mechanisms with regard to second language proficiency, and monitoring their administration; coordinating and providing technical advice on pedagogical matters related to language training and providing language training programmes for departments; providing specialized and technical assistance to departments; reviewing the annual plans and reports of departments on their official languages programme, and making recommendations to the Treasury Board; and reporting to Parliament, through an annual report and other means, on official languages activities within its jurisdiction.

4. Secretary of State's Department

The Secretary of State's Department administers programmes related to bilingualism in education; bilingualism in public administration; bilingualism in the private sector; and the official-language minority groups.

a) Bilingualism in Education

Under the Bilingualism in Education programme, formula payments are distributed to the provinces. For each student studying in his second official language (French for Anglophones; English for Francophones), the Federal Government pays a prorated portion of the average annual per student cost. If a student is studying the second official language for the maximum of five hours per day, the province receives 5%. If a student is studying the second official language for a fraction of the maximum, the province receives that fraction of 5% of the average annual per student cost.

For every full-time student being educated in the minority language (English in Quebec, French in the other provinces), the provincial government receives 9% of the overall average cost of educating a child in that province.

For each of the total number of school-age children belonging to the minority-language group in a province, that province receives 1.5% of the average overall cost of educating a child in that province.

Formula payments are applicable to the elementary and secondary school levels.

At the post-secondary level, the Federal Government provides contributions of 10% of the operating grants paid by the provinces to their

official-language minority and bilingual post-secondary institutions, and 8.5% of this contribution towards the costs of capital expenditures.

Other programmes administered by the Bilingualism in Education programme include: 1) Fellowships for Official Language Study whereby the federal government offers fellowships of up to \$2,000 each to post-secondary students who wish to pursue their studies in their second official language in Canada; 2) Bursaries for Second-Language and Minority-Language Teachers which enable these teachers to take short refresher courses to improve their skills; 3) Travel Bursaries for Minority-Language Students which are made available to post-secondary students of the official-language minority who are unable to pursue their studies in their first official language in their province of residence or within reasonable commuting distance of their place of residence; 4) a Summer Language Bursary Programme which enables post-secondary students to take a total immersion course in their second official language at an educational institution either in their province of residence or in another province; 5) a Second-Language Monitor Programme which provides financial support to several hundred post-secondary students who work for one year in another province, under the supervision of a qualified teacher, assisting students with conversation and pronunciation in their second official language; (these last two programmes, although financed by the Secretary of State's Department, are administered by the provinces through the Council of Ministers of Education); 6) Special Projects, intended to assist provincial governments in developing innovative or experimental projects in minority-language education or second-language instruction at any level of the educational system (projects are financed on a cost-sharing basis by the Federal Government and the provincial governments); 7) Language Training Centres for students, teachers and others in academic life, and in some instances provincial public servants and the general public (each province may obtain up to \$100,000 a year for this purpose); and 8) assistance to teachers' colleges in the Maritimes and Western Canada.

b) Bilingualism in Public Administration

This Programme offers assistance to provincial, territorial, municipal and school board administrations to help them develop their ability to use both official languages in serving the public. Federal language training courses are made available to provincial and municipal public servants and the Federal Government has agreed to pay half the operating costs of provincial government second-language training programmes, up to \$100,000 a year per province. The Federal Government also offers to pay half the costs of translating provincial statutes and regulations and related documents up to \$100,000 a year per province.

c) *Bilingualism in the Private Sector*

This Programme is designed to assist private institutions in developing a reasonable balance in their use of the official languages. Under the *Assistance to Voluntary Associations Programme*, the Department helps voluntary organizations to formulate plans for the development of bilingualism and offers financial and technical assistance in such fields as terminology, translation, interpretation at annual meetings and staff training. Under the *Technical Assistance for Business and Industry Programme*, the Department makes available information and technical assistance on language training and translation, with a view to encouraging a reasonable balance in the use of the official languages in the business world. The Government also offers organizations and associations financial support to help undertake special projects, such as feasibility studies, resource surveys and identification of bilingualism requirements, and for research and the dissemination of information concerning research studies.

d) *The Official-Language Minority Groups*

Through its Official-Language Minority Groups Directorate, the Department provides funds to help finance part of the operating, administrative and coordination costs of various organizations representing the official-language minority. More specifically, grants are provided to help provincial associations and citizens' groups promote the socio-cultural development of the official-language minority of their province; to encourage exchanges between French- and English-speaking Canadians through seminars and workshops; and to promote interaction and exchanges of information between members of the two official language communities; to finance the operation of cultural centres and assist creative organizations; to encourage greater youth involvement in local socio-cultural activities; to help national organizations conceive and implement projects aimed at strengthening the relations between and promoting the activities of official-language groups; and for a variety of international projects involving minority-group participation.

Apart from playing the linguistic and cultural role described above, the Secretary of State's Department is also responsible for the operation of the Translation Bureau. The Bureau ensures, through translation and interpretation services, that Parliament, and departments and agencies are able to offer service in both official languages. It also undertakes research in linguistics and terminology and co-operates closely with specialized institutions across the country with a view to improving translation methods and quality. The Bureau also co-operates with universities to establish training programmes for future interpreters and translators.

Appendix B

Costs and Man-Years Allocated to the Official Languages Programmes

Costs and Man-Years Allocated to Official Languages Prog
1976-77 and 1977-78 Fiscal Years¹

	1976-77	
	Costs Incurred (\$'000)	Man-Years
A. OUTSIDE THE PUBLIC SERVICE		
1. Secretary of State's Department		
a) Grants and Contributions for Bilingualism in Education		
—formula payments to provinces	142,628	
—other bilingualism in education and youth-oriented programmes	20,306	
b) Grants to Official-Language Minority Groups	3,525	
c) Grants and Contributions for Other Bilingualism Development Programmes	2,020	
d) Operating Expenditures	1,052	46
2. National Capital Commission Contribution	450	
3. Commissioner of Official Languages	3,238	86
Sub-Total	173,219	132

B. PUBLIC SERVICE*				
1. Treasury Board				
—Official Languages Branch	1,482	81**	1,340	79**
—Vote 15, Supplementary Resources for Allocation to Departments	27,074		20,000	
2. Public Service Commission				
—Language Training	42,608	1,938	43,483	1,744
—Administration and Other Programmes	2,747	112	2,540	12
3. Secretary of State's Department				
—Translation Bureau	36,633	1,890	46,758	2,043
4. Departments and Agencies				
—Direct and Indirect Costs	53,320	814***	104,472****	839***
Sub-Total	163,864	4,835	218,593	4,817
C. ARMED FORCES				
	38,102	233	50,758	245
Total	375,185	5,200	509,172	5,195

SOURCE:

(1) Public Accounts, vol. II, 1976-77 and Annual Reports; Main Estimates and Supplementary Estimates (1977-78) as well as special reports from relevant Departments and Agencies.

NOTES:

*The date given above is applicable to the departments and agencies of which the Treasury Board is the employer.

**Includes 34 man-years obtained under Vote 15.

***Persons who devote more than 50% of their time to official languages programmes.

****1977-78 costs include 1976-77 retroactive payment of bilingualism bonus and the 1977-78 payment.

Appendix C

Summary of Expenses : Information Programmes

Summary of Expenses : Information Programmes

1. <i>Oh! Canada</i> Kit		1974-75	1975-76	1976-77
A. Edition				
	50,000 kits	\$113,116	\$ 42,705	
	1,500 kits	—	4,500	
	500,000 kits	—	918,998	
	12,000 kits	—	21,720	
	1,003,248 kits	—	—	\$8
	525,024 kits	—	—	
	2,091,772	\$113,116	\$ 987,923	\$8
B. Cost of Distribution				
	Postage	—	\$ 14,000	\$
	Freight Costs	—	42,300	
	Material	—	8,038	
	Salaries	\$ 9,966	15,006	
		\$ 9,966	\$ 79,344	\$1
TOTAL		\$123,082	\$1,067,267	\$9

*Cost of distribution as of December 31, 1977.

2.	Unit price (production)	\$1.45		
	Unit price (handling included)	\$1.66		
3.	<i>Oh! Canada</i> cassettes		Number	Total
	In 1976-77		28,000	66,487.36
	In 1977-78		Estimates for 20,000 cassettes	41,000.00
			<hr/>	<hr/>
			48,000	107,487.36
4.	Complementary posters for <i>Oh! Canada</i> Kit			
	In 1975-76		100,000	17,178.00
	In 1976-77		120,000	18,049.62
	In 1977-78		110,000	12,844.40
			<hr/>	<hr/>
			330,000	48,072.02
	Other Items 1977-78			
1)	" <i>The Best Place to Learn French Is . . .</i> " Booklet		3,000	\$ 5,009.00
2)	" <i>Canadian Parents for French</i> " Newsletter		33,000	3,153.00
3)	"Perspective" Poster		70,000	10,923.00
4)	"Bilingual Service" Pin		20,000	9,696.00
5)	"Bilingual Service" Poster		15,000	25,842.00
6)	" <i>Oh! Canada</i> " Mini-kit		25,000	18,516.00
7)	<i>What's What for Children Learning French</i>		1,000	1,106.00
8)	Advertisements			1,857.00
9)	Drawings			2,132.00
10)	Miscellaneous			2,152.00
				<hr/>
				\$80,386.00

Summary of Expenses : Information Programmes

Distribution	In Schools	Elsewhere*
<i>(Oh! Canada Kit)</i>		
Newfoundland	40,195	24,229
Prince Edward Island	1,485	4,830
Nova Scotia	37,456	20,345
New Brunswick	9,894	45,180
Quebec	153,457	324,804
Ontario	174,556	471,019
Manitoba	14,027	126,504
Saskatchewan	5,213	64,180
Alberta	9,387	57,217
British Columbia	40,948	81,021
Yukon	400	866
Northwest Territories	938	1,050

*General public, recreational and charitable organizations, day-care centres, etc.

Appendix D

Language Instruction for Schoolchildren

Table 1—Minority Language* Enrolment as Second Language, Public Schools Only

	Elementary Level			% of Instruction Time Devoted to Second Language
	Eligible School Enrolment	Second Language Enrolment	%**	
Newfoundland				
1977-78	90,405	33,585	37.1	5.5
1970-71 ^r	101,877	21,835	21.4	5.0
Prince Edward Island				
1977-78	13,284	7,351	55.3	5.5
1970-71 ^r	16,818	3,561	21.2	8.0
Nova Scotia				
1977-78	100,529	30,025	29.9	6.1
1970-71 ^r	121,894	12,642	10.4	7.0
New Brunswick				
1977-78	49,019	29,563	60.3	6.3
1970-71 ^r	61,545	37,305	60.6	8.0
Ontario				
1977-78	1,201,359 ^p	669,465 ^p	55.7 ^p	8.0 ^e
1970-71 ^r	1,361,119	509,955	37.5	7.0
Manitoba				
1977-78	108,364	42,576	39.3	5.5
1970-71 ^r	134,465	39,739	29.6	5.0
Saskatchewan				
1977-78	110,382	4,928	4.5	8.1
1970-71 ^r	133,514	6,950	5.2	8.0
Alberta				
1977-78	218,032 ^e	54,453 ^e	25.0 ^e	6.0 ^e
1970-71 ^r	230,433	58,235	25.3	6.0
British Columbia				
1977-78	306,098 ^e	62,381 ^e	20.4 ^e	5.0 ^e
1970-71 ^r	333,340	18,558	5.6	5.0
Total 9 provinces				
1977-78	2,197,472 ^e	934,327 ^e	42.5 ^e	7.3 ^e
1970-71 ^r	2,495,005	708,780	28.4	6.0
Quebec				
1977-78	572,834 ^e	209,911 ^e	36.6 ^e	10.0 ^e
1970-71 ^r	824,026	339,484	41.2	9.0

Source: Statistics Canada. Figures for 1977-78 are preliminary figures and/or estimates drawn from information provided by provincial departments of Education.

*Minority Language is English in Quebec and French in all other provinces.

**Percentage figures are based on the number of the students in the province excluding those who are being instructed in the minority language.

Percentages indicate for each of the years 1970-71 and 1977-78 the degree of participation in learning of the second language and do not measure changes in participation over the 8 years. This explains why the 8 year-rise in enrolment in French as a second language is actually 31.8% at the elementary level for the nine provinces rather than the 14.1% column 3 seems to indicate.

r — revised
p — preliminary
e — estimate

Table 2. Minority Language* Enrolment as Second Language, Public Schools Only

	Secondary Level			% of Instruction Time Devoted to Second Language
	Eligible School Enrolment	Second Language Enrolment	%**	
Newfoundland				
1977-78	65,297	34,111	52.2	11.0
1970-71 ^r	58,853	37,895	64.4	10.0
Prince Edward Island				
1977-78	13,171	8,603	65.3	10.0
1970-71 ^r	13,008	10,794	83.0	10.0
Nova Scotia				
1977-78	91,545	58,839	64.3	12.1
1970-71 ^r	85,615	59,955	70.0	13.0
New Brunswick				
1977-78	56,930	37,887	66.6	13.0
1970-71 ^r	53,688	42,708	79.5	12.0
Ontario				
1977-78	583,195 ^p	200,965 ^p	34.5 ^p	13.0 ^e
1970-71 ^r	549,827	269,079	48.9	13.0
Manitoba				
1977-78	101,437	41,376	40.8	11.2
1970-71 ^r	102,076	55,640	54.5	10.0
Saskatchewan				
1977-78	104,543	48,469	46.4	10.7
1970-71 ^r	113,053	77,928	68.9	10.0
Alberta				
1977-78	216,446 ^e	61,136 ^e	28.2 ^e	10.0 ^e
1970-71 ^r	195,554	80,607	41.2	10.0
British Columbia				
1977-78	220,833 ^e	88,776 ^e	40.2 ^e	12.0 ^e
1970-71 ^r	193,651	127,293	65.7	10.0
Total 9 provinces				
1977-78	1,453,397 ^e	580,162 ^e	39.9 ^e	12.0 ^e
1970-71 ^r	1,365,325	761,899	55.8	12.0
Quebec				
1977-78	476,450 ^e	465,492 ^e	97.7 ^e	16.2 ^e
1970-71 ^r	515,907	515,846	100.0	14.0

Source: Statistics Canada figures for 1977-78 are preliminary figures and/or estimates drawn from information provided by provincial departments of Education.

*Minority Language is English in Quebec and French in all other provinces.

**Percentage figures are based on the number of students in the province excluding those who are being instructed in the minority language.

Percentages indicate for each of the years 1970-71 and 1977-78 the degree of participation in learning of the second language and do not measure changes in participation over the 8 years. This explains why the 8-year drop in enrolment in French as a second language is actually 23.9% at the secondary level for the nine provinces rather than 15.9% column 3 seems to indicate.

r — revised
p — preliminary
e — estimate

Appendix E

Special Studies by the Office of the
Commissioner of Official Languages

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	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	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

Study	Launched	Completion Date
Department of Indian Affairs and Northern Development (Canals)	15/ 5/72	1972-73
Department of National Revenue	12/ 6/72	1972-73
Post Office Department	12/ 6/72	1972-73
Unemployment Insurance Commission	12/ 6/72	1972-73
Department of Agriculture	12/ 6/72	1972-73
Department of the Environment	12/ 6/72	1972-73
Department of National Health and Welfare	12/ 6/72	1972-73
Department of Manpower and Immigration	13/ 6/72	1972-73
Air Canada	13/ 6/72	1972-73
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
Department of Labour	4/ 2/76	1976

Moncton

Study	Launched	Completion Date
Secretary of State (Translation Bureau)	5/ 3/76	1976
Canada Labour Relations Board	25/ 5/76	1976
Air Canada—Headquarters and Eastern Region	4/ 6/76	1976
Canadian National Railways (Railway Operations, St. Lawrence Region)	9/ 6/76	1976
Department of National Defence	26/ 1/76	1977
Department of the Environment	21/ 2/77	1978
Senate	1/ 3/77	1977
Statistics Canada	2/ 3/77	1978
Supply and Services (Services)	2/ 3/77	1978
Auditor General's Office	9/ 3/77	1978
Supply and Services (Supply)	15/ 3/77	1978

Appendix F
Statistics on Complaints

Table 1. Files Opened, Closed and Still Active

	1970-76 (81 months)	1977	Total
Opened	5,354	1,160	6,514
Closed	4,948	1,092*	6,040
Still active on January 1, 1978			474**

*Includes 746 of the 1,160 files opened in 1977 and 346 files opened previously.

**Includes 414 of the 1,160 files opened in 1977 and 60 files opened previously.

Table 2. Files Opened in 1977

Complaints concerning specific federal institutions	947	(82%)*
Complaints not concerning specific federal institutions	213	(18%)
	1,160	(100%)

* Rounded percentages in this and subsequent tables.

Table 3. Language of Complainants

	1970-1976 (81 months)		1977	
French	4,324	(81%)	1,029	(89%)
English	1,030	(19%)	131	(11%)
	5,354	(100%)	1,160	(100%)

Table 4. Methods of Submitting Complaints

	1970-1976 (81 months)		1977	
By letter	3,825	(71%)	608	(52%)
By telephone	1,070	(20%)	404	(35%)
In person	144	(3%)	59	(5%)
By referral	146	(3%)	19	(2%)
Other means (telegram, newspaper, note, and so forth)	169	(3%)	70	(6%)
	5,354	(100%)	1,160	(100%)

Table 5. Origin of Complaints

	1970-76 (81 months)		1977		Total	
Newfoundland	13	(0.2%)	1	(0.0%)	14	(0.2%)
Prince Edward Island	22	(0.4%)	1	(0.0%)	23	(0.4%)
Nova Scotia	76	(1.4%)	21	(1.8%)	97	(1.5%)
New Brunswick	239	(4.4%)	190	(16.4%)	429	(6.6%)
Quebec	1,548	(29.0%)	320	(27.6%)	1,868	(28.7%)
Ontario	2,552	(47.7%)	548	(47.3%)	3,100	(47.6%)
Manitoba	285	(5.3%)	8	(0.7%)	293	(4.5%)
Saskatchewan	152	(2.9%)	10	(0.9%)	162	(2.5%)
Alberta	302	(5.7%)	26	(2.2%)	328	(5.0%)
British Columbia	125	(2.3%)	25	(2.2%)	150	(2.3%)
Yukon and Northwest Territories	6	(0.1%)	0	(0.0%)	6	(0.0%)
Other countries	34	(0.6%)	10	(0.9%)	44	(0.7%)
	5,354	(100.0%)	1,160	(100.0%)	6,514	(100.0%)

Table 6. Nature of Complaints Concerning Specific Federal Institutions—
1977

Language of Service	754	(80%)
Language of Work	125	(13%)
Government directives on official languages	49*	(5%)
Others	19**	(2%)
	947	(100%)

*These complaints may concern language of service as well as language of work.

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

Table 7. Federal Institutions Cited in Complaints

	1970-76 (81 months)	1977	Total
Advisory Council on the Status of Women	1	0	1
Agriculture	65	8	73
Air Canada	371	85	456
Anti-Inflation Act	0	1	1
Anti-Inflation Board	6	6	12
Atomic Energy of Canada Ltd.	9	5	14
Auditor General	9	1	10
Bank of Canada	14	0	14
Bilingual Districts Advisory Board	1	0	1
Canada Council	7	3	10
Canadian Arsenal Ltd.	0	1	1

Table 7. Continued

	1970-76 (81 months)	1977	Total
Canadian Broadcasting Corporation	303	21	324
Canadian Consumer Council	1	0	1
Canadian Development Corporation	2	2	4
Canadian Employment and Immigration Commission	0	22	22
Manpower and Immigration Unemployment Insurance Commission	317	31	348
Canadian Film Development Corporation	105	15	120
Canadian Government Photo Centre	1	0	1
Canadian Grain Commission	1	0	1
Canadian International Development Agency	0	3	3
Canadian Livestock Feed Board	18	2	20
Canadian National Railways	1	0	1
Canadian National Railways	248	57	305
Canadian Overseas Telecommunications Corporation	1	0	1
Canadian Pension Commission	4	0	4
Canadian Radio-Television and Telecommunications Commission	21	1	22
Canadian Transport Commission	9	3	12
Canadian Wheat Board	3	0	3
Central Mortgage and Housing Corporation	23	3	26
Chief Electoral Officer	39	0	39
Commission of Inquiry into Bilingual Air Traffic Services in Quebec	0	1	1
Commissioner of Official Languages	6	2	8
Communications	50	8	58
Company of Young Canadians	1	0	1
Consumer and Corporate Affairs	32	8	40
Crown Assets Disposal Corporation	6	1	7
Defence Construction (1951) Ltd.	3	0	3
Economic Council of Canada	2	0	2
Energy, Mines and Resources	43	15	58
Energy Supplies Allocation Board	1	0	1
External Affairs	65	13	78
Export Development Corporation	2	2	4
Farm Credit Corporation	2	1	3
Federal Court	5	0	5
Federal Business Development Bank	2	0	2
Federal Electoral Boundaries Commission for Ontario	3	0	3
Finance	7	6	13
Fisheries and Environment	99	19	118
Food Prices Review Board	3	0	3
Governor General	3	1	4
Indian Affairs and Northern Development	84	21	105
Industry, Trade and Commerce	32	8	40
Information Canada	44	0	44
Insurance (Department of)	3	0	3
International Development Research Centre	1	0	1
International Joint Commission	1	0	1

Table 7. Continued

	1970-76 (81 months)	1977	Total
Joint Parliamentary Committee on the Constitution	2	0	2
Justice	20	11	31
Labour	23	5	28
Library of Parliament	2	0	2
Loto Canada	1	37	38
Medical Research Council	2	0	2
Metric Commission	4	5	9
Ministers' Offices	1	0	1
National Arts Centre	30	49	79
National Capital Commission	68	10	78
National Defence	210	34	244
National Energy Board	3	1	4
National Film Board	21	3	24
National Harbours Board	6	1	7
National Health and Welfare	97	21	118
National Library	14	2	16
National Museums of Canada	55	25	80
National Research Council of Canada	33	3	36
National Revenue-Customs and Excise	127	18	145
National Revenue-Taxation	132	17	149
Northern Canada Power Commission	2	0	2
Northern Transportation Co. Ltd.	2	2	4
Northwest Territorial Government	1	4	5
Office of the Prime Minister (PMO)	1	0	1
Olympic Coins 1976	14	0	14
Parliament	59	16	75
Polymer (Polysar)	2	0	2
Post Office	408	95	503
Privy Council Office	4	1	5
Public Archives	13	6	19
Public Service Commission	209	35	244
Public Service Staff Relations Board	0	1	1
Public Works	76	22	98
Regional Economic Expansion	21	4	25
Royal Canadian Mint	7	1	8
Royal Commission on Bilingualism and Biculturalism	0	1	1
Royal Commission on Financial Management and Accountability	0	1	1
St. Lawrence Seaway Authority	4	2	6
Science Council of Canada	6	2	8
Science and Technology	2	0	2
Seaway International Bridge Corporation Ltd.	1	1	2
Secretary of State	118	20	138
Solicitor General	4	1	5
(1) Royal Canadian Mounted Police	80	21	101
(2) Canadian Penitentiary Service	27	8	35
(3) National Parole Board	17	3	20
Standards Council of Canada	1	0	1

Table 7. Concluded

	1970-76 (81 months)	1977	Total
Statistics Canada	135	6	141
Supply and Services	98	20	118
Supreme Court of Canada	3	0	3
Tax Review Board	3	0	3
Teleglobe Canada	0	2	2
Transport	203	34	237
Treasury Board	39	5	44
Uranium Canada Ltd.	0	1	1
Urban Affairs	11	2	13
The 207 Queen's Quay West	0	1	1
Veterans Affairs	22	3	25
Yukon Territorial Government	2	8	10
	4,526	947	5,473

Table 8. Complaints Not Concerning Specific Federal Institutions—1977

Foreign governments	1
Members of Parliament	3
Municipal governments	8
Private enterprise	147
Provincial governments	34
Public Service unions and associations	6
Telephone companies	14
	213

Appendix G
Recommendations—Special Study
The Senate

The Commissioner of Official Languages recommends that the Senate staff organization:

GENERAL PLANNING, IMPLEMENTATION AND INFORMATION

(1) develop a plan for implementing the Official Languages Act with respect to both language of service and language of work and ensure that all staff are aware of its provisions;

SERVICES PROVIDED TO SENATE COMMITTEES

General

(2) ensure that the two official languages enjoy equal status in the services provided to committees by Senate staff and that the linguistic rights of those appearing before such committees are respected by:

(a) informing individuals appearing before Senate committees, as well as non-federal organizations or persons wishing to submit briefs and documents, that they may do so in their preferred official language and that translations and simultaneous interpretation will be made available as required;

(b) providing services and information to French- and English-speaking senators, witnesses and other individuals in both official languages as a matter of course without waiting for specific requests or complaints;

(c) requiring federal institutions to submit briefs simultaneously in both official languages prior to Senate committee hearings;

(d) ensuring that briefs and documents for discussion or for publication as appendices to Senate documents are translated and made available in both official languages prior to the session in which the brief or document is to be discussed;

(e) ensuring that simultaneous interpretation is provided at hearings and committee meetings and that French- as well as English-speaking reporters are present;

Research, Advisory and Administrative Services Provided in the Context of Special Studies and Investigations Undertaken by Committees

(3) ensure that staff assigned to special studies and enquiries are able to deal with research documents and submissions at hearings or informal discussions in both official languages;

(4) ensure that notices published in areas which include minority official language communities are distributed to French as well as English media and that these notices include a statement to the effect that interested parties may submit briefs or make presentations in either official language;

Preparation and Co-ordination of Committee-Related Reports and Documents

(5) (a) increase opportunities for French-speaking as well as English-speaking committee members and staff to draft their reports or contributions to reports in

their preferred official language and ensure that translations of reports are made available as early in the drafting process as is technically feasible; examine possibilities for joint English-French drafting or assigning a translator to the drafting team at an early stage;

(b) examine, together with Parliamentary Translation Services, the feasibility of having a permanent French-language translator on staff so as to reduce reliance on employees for the translation and revision of documents and to help them prepare correspondence, memoranda or reports directly in French, thereby increasing the proportional use of that language for the drafting of documents;

LEGAL SERVICES PROVIDED BY SENATE STAFF

(6) ensure that advisory services are provided in the appropriate official language and that, where possible, amendments or modifications are presented to committee members in both official languages;

(7) consider appointing a lawyer, whose linguistic qualifications would enable him or her to help the Law Clerk in the preparation of bilingual drafts, in vetting and revising translations, and in providing various legal advisory services in the appropriate language;

SERVICES PROVIDED TO SENATORS ASSEMBLED TOGETHER IN THE UPPER HOUSE

Briefings and Assembly of Documentation

(8) ensure that briefings provided to the Speaker of the Senate, the Leader of the Government and other senators are provided in the preferred official language of the senator being briefed and that related communications and services are available in the preferred official language of the senators, government officials or other “publics” involved;

Staff Services Related to the Preparation of Official Senate Publications

(9) ensure that French-speaking as well as English-speaking editorial staff have comparable opportunities to contribute to the preparation of Senate documents and that both language versions are of equal quality and consistency by:

(a) increasing the participation of the French Minutes and Debates sections in the drafting and editing (as distinguished from translating) of reports, lists of documents, “headings”, etc.;

(b) developing “headings” and capitalization guidelines for the French Debates section similar to those now in use in the English section;

SERVICES INVOLVING COMMUNICATIONS WITH THE PUBLIC

(10) ensure that Senate staff provide services and communications of equal quality in both official languages and, in particular, ensure that callers or visitors are greeted in both official languages and referred without delay to someone capable of providing assistance in the appropriate language and that correspondence is answered or initiated in the preferred official language of the correspondent;

Publications and Press Releases

(11) (a) ensure that all Senate publications intended for the public are released simultaneously in both official languages, and that separate versions are available in appropriate quantities, are given equally prominent display, and that there is a note in each version indicating that copies are available in the other language;

(b) use French as well as English media (including weeklies in areas where there are no dailies in one of the official languages) for material distributed in regions which include official language minority communities;

Visual Communications

(12) ensure that all signs, captions and inscriptions are bilingual and that the two languages are given equal prominence;

INTERNAL SERVICES AND COMMUNICATIONS

Personnel, Administrative and Financial Services

(13) review on a regular and systematic basis, the language requirements of positions and the linguistic capability of personnel and take whatever steps are necessary to ensure that the level of institutional bilingualism in the Senate is adequate at all times;

(14) ensure that personnel, administrative, and financial services are provided simultaneously and with comparable quality in both languages and that services to individual staff members are provided as a matter of course in the preferred official language of the individual concerned;

Recruitment and Staffing

(15) (a) provide English- and French-speaking candidates for Senate staff positions with equal opportunities to speak in their own language during staffing interviews and ensure that all members of selection boards are able to participate in interviews on this basis;

(b) ensure that relevant documents (job descriptions, contracts, etc.) are always provided in the preferred official language of the employee or candidate;

Secretarial, Support, Technical and Miscellaneous Services

(16) ensure that senators and staff are provided with support services in the appropriate official language(s) by reviewing the linguistic requirements of clerical, secretarial and support services in order to identify those positions which should be filled with bilingual incumbents when they fall vacant, and by taking appropriate measures in the meantime to ensure bilingual services;

Internal Communications

(17) (a) inform its staff that all documents for general distribution should be distributed simultaneously in both official languages and ensure that both versions are of equal quality;

(b) ensure, in co-operation with the Library of Parliament, that documentation (such as directives, manuals, research material, procedural and other reference

works) is made available over the same range of subjects in French as well as in English;

(c) ensure that training programmes, demonstrations, etc. addressed to members of both linguistic groups are, insofar as is reasonably and technically possible, offered in both official languages; and that language training suited to the work schedules of Senate staff and the language requirements of positions is provided;

(d) encourage French-speaking employees to communicate and work in the official language of their choice.

Appendix H
Recommendations—Special Study
National Defence

The Commissioner recommends that the Department of National Defence:

(1) use the findings, suggestions and recommendations of this study as a general guide for revising its policy on official languages and incorporate them into the implementation plan wherever appropriate;

GENERAL POLICY ON OFFICIAL LANGUAGES AND ITS IMPLEMENTATION

(2) (a) revise its policy on official languages by December 31, 1978, so that it applies to both military and civilian employees and covers all activities of the Department, including all services and amenities for employees and their dependants and all activities which the Department sponsors or for which it provides assistance or facilities;

(b) ensure that the policy accurately and fully reflects the letter, the spirit and the intent of the Official Languages Act, explains the concept of equal status and contains practical ways and means of complying with the Act;

(c) ensure that the terms of reference of all units and officials in the Department which are responsible for official languages policy are clearly based on the Official Languages Act;

(d) review all present policies, principles, practices, procedures, methods, guidelines, directives and activities and rescind or amend any which deny French or English their due place in the work of the Department including communications, medical services and all other operations, or which restrict their use in a way that is inconsistent with the Official Languages Act;

(3) draw up by March 31, 1979, a comprehensive implementation plan extending to both military and civilian personnel, designed to integrate official languages aims with the whole range of the Department's programs and activities to produce rapid reform and lasting linguistic justice; establish a complete set of goals, assign target dates, identify performance indicators and designate responsibility centres for each activity;

(4) (a) provide a copy of the Department's statement of official languages policy in bilingual format to all military and civilian personnel and to members of the Reserve on active duty; provide systematically at the induction stage a copy of the policy to all new members of the Department, both military and civilian;

(b) develop further and expand its staff information activity on official languages in order to take into account its revised policy and specify ways and means of putting it into effect, noting that the Commissioner and his staff are always prepared to take part in information meetings which may foster greater understanding of the Official Languages Act;

(5) (a) establish immediately an official languages bureau at not less than branch level, which would be responsible for the whole range of official languages activities and would absorb DGBB, including its civilian elements, and take charge of policy-making, planning, co-ordinating and monitoring the implementation of the Official Languages Act so as to put the two official languages on an equal footing in the Department, as regards both its military and civilian personnel;

(b) provide the official languages bureau with sufficient material and human resources to carry out its duties expeditiously and effectively;

(c) provide for experts and specialists from within the Canadian Forces to be made available to the official languages bureau and consultants to be hired, if necessary;

(d) henceforth, and without waiting for new organization and policies, use all available means described in the Commissioner's recommendations or reports as well as surveys, assessments and regular field visits to monitor and further the implementation of the Official Languages Act and the Department's official languages policies at all levels of the Canadian Forces, in both military and civilian elements;

(6) (a) revise, by June 30, 1978, the terms of reference of Command Co-ordinators for Bilingualism and Biculturalism (CCBB), Base Bilingualism and Biculturalism Co-ordinators and Regional Co-ordinators for Bilingualism and Biculturalism (RCBB) so as to transform their role into one of active management; set short-and medium-term official languages program objectives for each Command and Region, assign target dates for activities and identify performance indicators;

(b) provide adequate bilingual support staff to assist CCBBs, Base Bilingualism and Biculturalism Co-ordinators and RCBBs in their duties;

(c) establish, by June 30, 1978, a selection profile for CCBBs, Base Bilingualism and Biculturalism Co-ordinators and RCBBs which reflects this role and includes leadership, management skills, tact *and* fluency in both official languages; ensure that the official languages bureau is consulted in the appointment of CCBBs and RCBBs and the official languages bureau and CCBBs are consulted in the appointment of Base Bilingualism and Biculturalism Co-ordinators; give these co-ordinators full-time positions, wherever necessary to meet objectives and target dates;

(d) provide intensive training for CCBBs, Base Bilingualism and Biculturalism Co-ordinators and RCBBs which, among other things, explains the requirements of the Official Languages Act and particularly the concept of equality of status of the two official languages;

(7) (a) assign by December 31, 1978, the linguistic audit functions outlined hereunder to the Assistant Deputy Minister (Policy):

(i) auditing any of the Department's policies, plans, programs and activities to ensure that they fully comply with the requirements of the Official Languages Act;

(ii) auditing any unit or other organizational component of the Department in Canada or abroad to assess its compliance with the Official Languages Act, making recommendations to the Deputy Minister when necessary;

(b) ensure that the right of the Department's military and civilian employees to communicate directly with the Commissioner of Official Languages remains without restriction of any kind;

LINGUISTIC PROFILE

(8) (a) identify by December 31, 1978, each of its units as a bilingual unit (using both official languages as languages of work and having adequate institutional

bilingualism to provide its services in and communicate in both official languages), a French-language unit (whose language of work will be French), or an English-language unit (whose language of work will be English), and in doing so:

(i) ensure that in Mobile Command, Air Command and Maritime Command the units are identified so as to form viable and fully integrated linguistic networks which enable each unit to work in its language(s) and so as to respect the equal status, rights and privileges of *both* official languages in the hierarchy, structure and activities of DND, taking account of all relevant qualitative aspects such as the nature of the actual role which the units play in DND affairs and the importance of their assignments; ensure that these principles apply to both military and civilian personnel, and that units which co-ordinate English-language and French-language units (such as various headquarters, including NDHQ and particularly its Operations units) are identified as bilingual units;

(ii) ensure that the network of French-language units is based primarily in Quebec and that French is the normal language of work in most establishments in that province, paying particular attention to establishments staffed mainly by civilian personnel;

(iii) ensure that in Canadian Forces Europe the number of French-language units and of English-language units is such as to enable CFE to respect the equal status, rights and privileges of Canada's two official languages in carrying out its main task and to present an authentic image of the bilingual nature of Canada; ensure that the composition or tasking of other groups stationed abroad provides a fair balance and that units attached to United Nations or NATO headquarters in a representational or liaison role possess a degree of institutional bilingualism that reflects the equality of the two official languages;

(iv) ensure that identification decisions are in every case based on uniform principles of linguistic justice and fairness to all units;

(b) ensure that, after a transition period in which to make the necessary administrative arrangements, the language of work in a French-language unit is French, the language of work in an English-language unit is English, and the two official languages are fairly used as languages of work in bilingual units;

(c) ensure that communications from NDHQ and superior units are in the language or languages of the receiving unit (as indicated by the unit's designation), and are in both official languages automatically when they apply to all units; ensure also that support and auxiliary services are actively made available in the language or languages of the unit;

(9) ensure a continuing review of the linguistic identification of all military and civilian positions in the Department in the light of the foregoing recommendations and of the recommendations later in this report dealing with the provision of services to the Department's various publics, making sure that the language requirements relate to actual needs and that the level of knowledge of the second language demanded is fully adequate for the proper performance of the duties involved;

(10) assess the linguistic requirements of Non-Public Funds institutions at all Bases and establishments in Canada and abroad where the needs of both official languages groups have to be met and devise a system to ensure that hiring practices enable such institutions to develop adequately their institutional bilingualism;

LANGUAGE OF SERVICE

Service of Equal Quality

(11) ensure that all sectors of the Department, at headquarters and in the regions, in which staff is in contact with French- and English-speaking clients, take steps to provide service of equal quality in both official languages over the telephone, in writing or in person, and that delays in the case of one or the other language which are incompatible with the principle of equal service are avoided;

Communications with Callers and Other Users of Services

(12) take any measures that are necessary to increase the level of institutional bilingualism wherever it is at present inadequate, by an appropriate distribution of sufficient bilingual employees or by appropriately assigning, within the same service, unilingual employees from each of the language groups, so that the telephone can be answered spontaneously in both languages and services can be provided in the caller's or user's preferred language, by all units in which contacts with both language groups normally occur, special attention being paid to units which provide emergency or rescue services or handle fire alarms and requests for medical or police assistance:

(a) by ensuring that henceforth unilingual receptionists, secretaries and other employees can identify their service in both languages over the telephone and refer the call (using a simple phrase in the caller's language such as "One moment, please" or «Un instant, s'il vous plaît») to an employee who can provide immediately the requested service in the caller's language;

(b) by regularly reminding all staff, and especially those directly concerned, of the Department's policy regarding telephone service, by means of circulars, memoranda or the Department's internal bulletin, specifying that the guidelines apply to services provided to departmental staff as well as to its clients;

Correspondence

(13) (a) ensure that the Department's policy of answering mail in the language of the addressee continues to be observed and every effort is made to encourage employees with the necessary linguistic competence to originate and reply to correspondence directly in English or in French as the case may be;

(b) require all its units to take full advantage of their institutional bilingualism and thus avoid costly, and unjustified, translation of incoming or outgoing correspondence;

(c) provide editor-revisors, model letters and other linguistic aids to speed the work and assist in maintaining an equal standard in both official languages;

Publications

(14) (a) do its utmost to publish its brochures, pamphlets and other informational material in bilingual format; ensure that publications with separate French and English versions appear simultaneously in both official languages; indicate in each separate version (in the other official language) that a version in the other language is available and state where it may be obtained;

(b) ensure that personnel responsible for distribution see that sufficient stocks are kept throughout the country of both versions of unilingual publications;

(c) take positive steps to encourage original drafting in French of a significant number of publications in order to achieve a better balance between texts drafted in English and texts drafted in French, and ensure equal editorial input by both language groups;

(d) monitor the linguistic quality of publications and ensure that the information is equally well presented and free of error in both languages and the bilingual nature of the Forces is made clear;

(e) where the format of "regional" publications implies precedence for one language, see that precedence is given to French in copies distributed in areas or in units where French is the language of the majority and to English in copies distributed in areas where English is the language of the majority and create as far as possible a balance as regards precedence in the case of "national" publications;

Forms and Cards

(15) (a) complete the Department's program for conversion of forms for the public in 1978 so that all are bilingual;

(b) monitor the linguistic quality of new and existing forms to ensure that the two texts are equally correct;

(c) ensure that employees use the official language of the person being served when they complete (or partly fill in) forms for members of the public and forms dealing with personal matters for members of the Department or their dependants;

(d) ensure that locally-produced forms are bilingual when they are to be used by members of both language groups and that, as a general rule, visiting cards used by its staff are bilingual;

Reception and Security Control

(16) (a) ensure that henceforth the personnel at all reception desks and security controls in DND buildings within the National Capital Region are able to provide equally satisfactory service in both official languages at all times;

(b) ensure that its personnel and those it employs under contract to work at reception desks and security controls at all its establishments in Canada and its own establishments abroad can provide satisfactory service in both official languages where both language communities are represented either by servicemen and women employed at the establishment or in transit, by dependants, or by members of the population of the surrounding area;

(c) ensure that, at establishments where only one official language group is represented, reception and security staff are aware of the linguistic resources they can call on for prompt assistance if the need to communicate in the other language should arise;

Bilingual Image of Canada

(17) (a) remind its senior officials and other representatives that, in their contacts with the public in Canada or abroad (whatever the nature of these contacts), they

must always respect the equal status of Canada's two official languages, accord them their rightful places and ensure that the Department projects the bilingual image of Canada;

(b) provide interpretation facilities for meetings, conferences, seminars, briefing sessions or gatherings it organizes, which are attended by members of both official language groups from outside the Department, unless all present can understand and use both languages;

(c) when the Department sends its employees as representatives or resource staff to meetings, conferences, or other gatherings at which members of both official language groups are present, it take all possible steps to ensure that their services can be made available in English and French;

Signs

(18) (a) ensure that by October 31, 1978, all informational and directional signs at NDHQ, Bases and DND establishments, and those elsewhere for which the Department is responsible, are bilingual and free from grammatical and spelling errors;

(b) ensure that by March 31, 1978, all DND vehicle, ship and aircraft markings are bilingual, both in Canada and abroad, and that all DND-owned auxiliary equipment such as steps for aircraft, gangways, and fueling equipment bear departmental identification in both official languages;

Services to the Travelling Public

(19) (a) at all Air Bases where the Department provides facilities for military or civilian travellers, ensure that:

(i) ground services such as information, reception and auxiliary services (e.g. cafeterias and magazine kiosks) and transit and stopover facilities, whether provided to passengers by DND or its intermediaries, are actively offered and provided in both official languages;

(ii) announcements for the benefit of travellers are made in Canada's two official languages, precedence being given to the official language predominating in the area or to the official language more widely spoken by the "clients" being served;

(iii) when an individual is paged, the announcement is made in his or her official language or in both official languages;

(b) see that there is an adequate degree of collective bilingualism on every DND passenger flight, particularly in the cabin staff, and that in-flight announcements to passengers are invariably made in both official languages;

Public Information and Use of Media

(20) (a) continuously monitor the use being made of the advertising and communications media to ensure that they enable the Department to communicate with and to provide service throughout the country to the two official language groups on an equitable basis (this necessitates, among other things, using weekly papers in provinces or areas where dailies are published in only one of the official languages);

(b) assess the linguistic capability of each regional information office and if it is not able to provide service in both official languages now, remedy the situation without delay;

(c) issue specific guidelines to all information officers detailing their obligations under the Official Languages Act, requiring that, among other things,

(i) all press releases from NDHQ and regional information offices are issued simultaneously in both official languages;

(ii) at all press conferences, arrangements are made to deal with the media in both official languages, unless the subject is of purely local interest and only representatives of the media of one official language group wish to attend;

(iii) the bilingual image of Canada is projected abroad by maintaining an equitable balance between the use of the two official languages in dealings with foreign media, particularly in matters pertaining to the UN or NATO;

Exhibitions and Displays

(21) (a) take steps immediately to ensure that the Exhibitions and Displays Directorate always has an adequate level of collective bilingualism to enable it to initiate creative work in French and manage the French part of its programs as effectively as it does the English part;

(b) see that when the Department takes part in an exhibition, the unit involved assigns to it enough bilingual or unilingual staff from both linguistic groups to provide service to the public in both official languages at all times;

(c) make sure that displays and publicity materials for use at exhibitions are produced in both official languages and displayed in both official languages and that precedence is given to the official language of the majority of the local population;

(d) ensure that in showing audio-visual material the Department respects the linguistic preferences of the audiences and that personnel in attendance are always able to make the necessary linguistic arrangements;

Emergency Assistance

(22) (a) in providing support to civil authorities in emergencies or disasters, DND continue to serve both official language groups in their respective language;

(b) continue to ensure that DND personnel responsible for co-ordinating such assistance take the linguistic aspects into account in their planning;

(c) continue to ensure that the appropriate language or languages are used in instructions and notices on DND supplies, material, equipment and so on, used in carrying out these tasks;

Search and Rescue

(23) (a) immediately review the linguistic identification of positions at the four Search and Rescue co-ordination centres with the object of ensuring a bilingual capability 24 hours a day, 7 days a week, and have the required bilingual capability at Trenton and Halifax before March 31, 1979; aim to have the required bilingual capability at the other centres by March 31, 1980;

(b) make sure that all publications distributed to the public concerning the Search and Rescue service are available in both official languages throughout the country and have them published in bilingual format wherever possible;

Supply and Procurement

(24) (a) develop and issue by December 31, 1978, a specific policy on the use of the two official languages in the various stages of the supply and procurement processes which affect the public (suppliers, manufacturers and so on);

(b) set up a monitoring system to ensure that plans, performance specifications and documents used in tendering and drawing up contracts are offered in both official languages and on the same basis, whether negotiations are conducted directly by DND or through a third party such as the Department of Supply and Services;

(c) see that the units of the Department concerned (such as those of DG Proc S) have sufficient collective bilingualism and provide service in both languages with equal promptness;

(d) instruct quality control services (such as DGQA) and financial and auditing services to ascertain the official language requirements of each supplier and contractor they are involved with and to acquire sufficient collective bilingualism to carry out their duties relating to this public with equal efficiency in both official languages;

LANGUAGE OF WORK AND OF INTERNAL COMMUNICATIONS

(25) require military personnel, new recruits and civilians to state the official language(s) they wish to use normally as their language(s) of work and make every effort to respect this wish;

(26) take the necessary measures so that an officer or NCO is not posted to a unit whose normal language of work he or she is not able to use, if this would result in the individual imposing his or her language on the unit;

(27) review recruiting and promotion procedures and eliminate any requirements which reflect the Department's inability at some time to provide the same support to a Francophone in French as is normally available to an Anglophone in English;

Work Instruments, Support and Auxiliary Services

(28) (a) ensure that work instruments are made available in the language of the individual who uses them and they are equally complete in both languages;

(b) 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 a language of work;

(c) ensure henceforth that all services such as those falling under Personnel and Administration fully respect the known or anticipated language preferences of employees and that job descriptions of interest to employees of both language groups are made available simultaneously in both official languages;

(29) (a) start translating technical material without delay and expand the throughput as fast as the availability of competent translators permits, taking advantage of whatever technological aids to translation may be available;

(b) henceforth make it an essential condition in any negotiation or contract or agreement for the purchase of goods or services that the supplier provide bilingual documentation such as manuals, operating instructions and so on, and inform all interested parties, including the Department of Supply and Services, of this condition;

Decision-Making Process

(30) (a) in order to respect the equal status of the two official languages, ensure that both can be used at meetings of the Defence Council, Defence Management Committee, Operations Briefing and in the advisory and decision-making processes throughout NDHQ;

(b) ensure that the requirements of the Official Languages Act are taken into account and integrated at the initial stage into all planning, organization, personnel policies, budgeting and decision-making processes;

Communications with International Organizations

(31) review by August 31, 1978, its communications with NATO and other international organizations which include English and French among their official languages; take practical steps to ensure that French as well as English can be and is used by DND personnel dealing with these organizations;

Training and Development

(32) (a) ensure an on-going re-alignment of CF Training System so that both official language groups are involved equitably in the design, implementation and control of training programs so that training may be as well suited to the needs of Francophones as it is to the needs of Anglophones;

(b) ensure that all training and development become equally accessible in the two official languages and that the quality of the programs, the courses and the instruction are equivalent in the two languages;

(c) draw up an inventory by August 31, 1978, of the internal and external resources still needed to ensure equitable professional training and development in both official languages with a view to allocating the resources required;

(33) (a) arrange more training and development courses for Francophones to be conducted in places where the atmosphere is favourable to the normal use of the French language in the same way as English courses are conducted in places that favour the use of English;

(b) to this end, ensure that there is a fair balance between the number of training schools located and courses given in a French milieu and the schools located or courses given in an English milieu so that the two languages have equal or equivalent advantages and enjoy throughout the Canadian Forces similar natural support from both language communities;

Military Colleges

(34) (a) ensure that the military college system provides Anglophone and Francophone cadets with equivalent academic opportunities in the official language of their choice;

(b) ensure that the environment in the military college system enables both Anglophone and Francophone cadets to achieve self-realization in their own language, for example, by making available library services and research materials, support services, counselling and social amenities in the official language of the cadets concerned;

(c) emphasize the teaching of the official languages at CMR, RMC and RRMC, with the aim of producing officers functionally competent in both languages;

Staff Colleges and Schools and Specialist Courses for NCOs

(35) (a) by August 31, 1978, provide staff colleges and schools as well as management, leadership and other courses for NCOs with the required English- and French-speaking instructors, lecturers, guest lecturers, etc., so that by December 31, 1978, course programs are available as a rule in both official languages, using different methods if necessary (such as video-tapes, films, etc.) but ensuring that the courses and the quality of instruction provide learning opportunities of comparable standard in the two languages;

(b) provide simultaneous interpretation services whenever observance of the Act would require such services;

National Defence College

(36) complete arrangements to provide simultaneous interpretation, and course materials and library resources in both official languages, by the 1979-80 academic year and increase the number of Francophone course members to a level enabling this college to integrate the two languages into its structure and activities;

Recruiting

(37) (a) make the necessary administrative arrangements so that recruiting offices can provide the full counselling, recruiting and selection process (interviews, tests, medical examinations, etc.) in the official language of the individual's choice;

(b) henceforth administer language proficiency and aptitude tests to both Anglophone and Francophone recruits at the most appropriate point in their early training, so as to identify at an early stage those most likely to acquire, through subsequent language training, the level of bilingualism required by DND's various positions;

(c) do everything possible to streamline the process so that the enrolment of recruits of one official language group is not delayed more than the enrolment of recruits of the other due to scheduling of training in their official language;

(38) (a) intensify its recruitment program to ensure the presence of civilian and military members of both language groups in such numbers as will achieve equal status of the official languages from the standpoint of their use in all sectors of the Department;

(b) review the Department's relations with universities, technical colleges, professional associations and other organizations for purposes of recruitment, determine the extent to which the members of the two language groups are actually reached through the Department's recruitment methods, and take any new initiatives that are required;

(c) ensure that all members of selection boards can communicate with candidates in the official language chosen by the latter; inform candidates of this right in advance;

Reserve

(39) (a) take steps immediately to provide bilingual training manuals for the Reserve, expediting translation where necessary;

(b) ensure that instruction and all training support for all levels are made equally available in both languages and are of the same standard;

(c) identify immediately as FLUs those units “tentatively selected to become FLUs”;

(d) ensure that in assigning units of the Reserve or individual reservists to duty with regular forces, the preferred working language of the unit or the individual is respected;

Cadet Corps

(40) (a) encourage the formation of English and French cadet units in such a way as to foster equal treatment of both official languages; when bilingual cadet units are deemed desirable, make every effort to ensure that those responsible are capable of communicating with and providing their services to both language groups in their respective languages;

(b) see that DND, in co-operation with other agencies, if need be, ensures that Francophone cadets receive training and instruction in French equivalent to that received in English by Anglophone cadets and, in fulfilling this recommendation, pay particular attention to the provision of training aids and instruction materials in French;

LANGUAGE TRAINING—OFFICIAL LANGUAGES

(41) develop plans and strategies whereby language training for military personnel of both official language groups would normally follow the same criteria, so that both groups share common obligations or privileges and have the same employability across the CF system;

(42) ensure that language training programs continue to be job-related and that graduates are taught to a level high enough for them to perform their duties adequately in their second language;

(43) review by December 31, 1978, the effectiveness of the various language training programs, in particular Base Language Training Program (BLTP), and take whatever remedial measures are necessary;

(44) (a) ensure that voluntary language training provided to military personnel of one language group is made available on a similar basis to military personnel of the other language group;

(b) adopt and apply a consistent policy in admitting dependants into classes of the Base Language Training Program;

LANGUAGE OF INTERNAL SERVICES

Medical and Dental Services

(45) (a) formulate by August 31, 1978, a set of specific objectives for medical and dental services aimed at ensuring service in both official languages in accordance with the requirements of the Official Languages Act and specifically at providing patient care in the preferred language of the patient, whether French or English; take all possible steps to ensure that the service is actively offered and of equal quality in both languages;

(b) issue these objectives, in bilingual format, to all employees of Medical and Dental Services, and inform them of whatever actions are necessary to comply with them;

(c) develop and carry out an implementation program with respect to these objectives, indicating target dates and designating persons or centres responsible for each stage or activity;

(46) (a) take steps to ensure immediately that at the Admission Desk, in the Emergency Ward, on the switchboard, and at any and all contact points between NDMC and other CF Hospitals and the public (whether the general public or the military community), staff are able to provide service in both languages, at all hours of the day and night;

(b) establish, by August 31, 1978, a mechanism to indicate on medical files the patient's preferred language;

(47) (a) develop immediately (in view of the present imbalance between the use of the two official languages within DND Medical and Dental Services) a program 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;

(b) complete a thorough review by August 31, 1978, of all administrative, professional, and technical manuals used within Medical and Dental Services, verifying their actual linguistic status;

(c) develop and carry out an implementation program and establish a list of priorities and deadlines which will guarantee that up-to-date versions of departmentally-originated basic work instruments (manuals, orders, directives, etc.) will rapidly be made available in both official languages;

(d) continue the policy whereby any new departmentally-originated manual or amendment is published in both official languages simultaneously;

(e) (i) procure and make available to staff externally-originated work instruments in both English and French where translations or equivalent texts in the two languages already exist;

(ii) assume responsibility for the translation of other externally-originated work instruments which are necessary to staff in carrying out their duties;

(iii) whenever possible, work in co-operation with other agencies, universities or medical institutions for the translation and procurement of externally-originated work instruments;

(48) identify systematically in all those communities where it would be useful to do so the medical or dental professionals who could provide their services to dependants in the appropriate official language(s); where medical or dental services are not available in such communities in one of the official languages, provide other assistance which will enable dependants to obtain the services they need in their official language;

Legal Services

(49) (a) staff the legal services positions (including those of lawyers, court reporters, and clerical personnel) at NDHQ and in the regions with the necessary number of bilingual incumbents in order to give these units the capacity to provide full and equal service to both language groups, paying special attention to headquarters positions;

(b) ensure that all forms, directives, etc. are in bilingual format, and that forms are filled in the appropriate language;

(c) encourage original drafting of orders, legal judgements, etc. in French;

(d) take steps to reassure servicemen that those charged with offences are free to choose the language in which they will be tried, whether by summary trial or by court martial, ensuring that the certificate required by section 9 of CFAO 19-25 is available in both official languages at all CF establishments;

(e) develop standard requirements for court interpreters and identify those in the Department who are qualified to translate from English to French and vice versa so that the accused, witnesses and so on may testify and also hear the proceedings in their own language; prepare a list of those so identified and make it available to all concerned; use interpreters whenever necessary to ensure that justice is served in the appropriate language in all courts of DND;

Security

(50) (a) ensure that the staffing of military police positions allows the Department to provide security services in both official languages in accordance with the requirements of the Official Languages Act; ensure that the identification and staffing of positions at supervisory levels and especially at NDHQ provides for an equitable representation of both languages;

(b) ensure that positions are filled as identified, paying particular attention to those with investigative duties;

(c) examine the situation at the CF Detention Barracks and take steps to ensure that the basic linguistic rights of all detainees are respected, in every aspect of their life at the Barracks, including discipline, medical services, and amenities;

Social Development Services

(51) (a) review and revise the identification of social work positions to ensure that the Department is truly able to provide service of equal quality in both official languages where the needs of both groups have to be met; take measures to fill all social work positions as identified;

(b) abandon the practice of requesting or allowing a person's commanding officer to act as interpreter in a counselling situation;

(c) ensure that all educational counselling (drug, financial, etc.) or other sessions conducted by Social Development Services respect the equal status and privileges of the two official languages;

(d) continue the efforts to acquire films and other educational material in both official languages and produce all posters, pamphlets, and other documents in bilingual format;

Accommodation and Related Services

(52) (a) ensure that in all CF Base housing offices, and at the Europahof in Lahr, service is available and actively offered in both official languages when the needs of both groups have to be met;

(b) ensure that by August 31, 1978, all orders, forms, information booklets, leases, etc. relating to housing are in both official languages, in bilingual format whenever possible;

(c) ensure that there is a bilingual capability enabling all CF Bases and Stations to respond to emergency phone calls (fire, medical, etc.) at all times; make similar arrangements for "trouble calls" desks;

CANEX

(53) (a) revise the CANEX policy on bilingualism in order to ensure conformity with the Official Languages Act;

(b) ensure that in CANEX outlets bilingual service is actively offered and provided in accordance with the requirements of the Official Languages Act;

(c) ensure that all concessionaires conform to CANEX bilingualism policy and set up a permanent system to monitor the situation;

(d) establish by December 31, 1978, a linguistic requirement for all CANEX positions (full and part-time) whether public or non-public, to ensure that CANEX can conform to the Act with regard to service to the public at all its outlets;

(e) establish priorities so that the Identification Desk and other essential services or points of contact can always offer service in both languages;

(f) take action to fill all CANEX positions in accordance with their linguistic requirements;

(g) ensure that unilinguals of *both* linguistic groups are put on an equal footing in the hiring practices of CANEX outlets;

(54) increase the number of Francophones at headquarters so as to give CANEX better capability to respond to the needs of Francophones, whether they are CANEX employees or customers; ensure that officials who are in communication with units in Quebec can speak French;

(55) (a) continue the practice of issuing all CANEX publications, signs etc. in bilingual format, and continue to monitor them;

(b) ensure that locally-made signs in CANEX outlets are bilingual;

(c) establish a procedure for the revision of translations of publications, advertising slogans, etc., so as to ensure that the text is of equal linguistic quality in both languages;

Recreation and Amenities

(56) take steps to ensure that, as a rule, both language groups are represented on Community Councils and Base Fund Committees;

(57) encourage Base newspapers to reflect properly the presence of both official language groups through the publication in both languages of articles and information which concern both groups; seek ways to ensure that representation on advisory or editorial committees fairly reflects the interests of the two linguistic communities; invite those concerned to take practical steps to ensure that both languages are used as source languages;

(58) establish a policy (and inform all concerned) to encourage recreational activities in both languages for both servicemen and families, in accordance with the needs and wishes of both language groups; provide funding on an equitable basis;

(59) in all international events, tournaments, meetings, etc., strive in every possible way to portray henceforth the bilingual nature of Canada;

(60) (a) at Base cinemas, ensure that henceforth the programming meets the needs of both language groups; involve Francophones as a matter of course in selecting French-language films;

(b) where the Department sends out film, video-tapes, or other material to "isolated" units, ensure that both official language groups are equally well-served;

(61) (a) ensure that Canadian Forces radio and television stations consistently respect the Official Languages Act;

(b) continue negotiations to augment the transmitting power of the French radio station in Lahr (RFC) to a level equal to that of the English radio station and ensure that both language communities are equally well-served by the soon-to-be-established television station in Lahr;

(62) at all messes and in all community activities sponsored by the Department take concrete measures to ensure equality of service, of opportunity, and of self-realization for both language groups; ensure furthermore that all announcements, information, signs, as well as personnel and activities meet the needs of both language communities;

(63) fill all permanent positions in the Physical Education and Recreation sphere so as to ensure an adequate level of institutional bilingualism;

Adult Education

(64) take all measures within its power to assist the members of both language groups to obtain equality of educational opportunity in evening classes;

(65) in Lahr, take measures to establish German classes for Francophones as well as for Anglophones;

(66) at the CF Foreign Language School, take immediate measures to eliminate the unequal treatment of Francophones and introduce new policies and practices to ensure full equality between the two language groups;

Education of Dependants

(67) (a) carry out a thorough and detailed review of the DND school system, reassessing the needs it is intended to meet and what it has done to meet them; examine the way in which directives have been applied concerning the organization and operation of schools and classes in each of the official languages; study applications for admission that have been rejected to determine whether directives, and the way they have been applied, have prevented children from taking advantage of the educational opportunities DND provides, this being particularly important in places where there is no school in one of the official languages or where higher school enrolments would enhance educational possibilities;

(b) determine to what extent the present DND school system enables both official language groups to get the maximum benefit from its schools and classes and offers them every possible chance of having their children taught in their own language, of participating in the work of school boards, and of receiving in each case sufficient pedagogical, technical, financial and material support for the proper operation of the schools or classes;

(c) determine whether the teaching staff of both the English and French sides receive the necessary support;

(68) (a) using as a guide information obtained in the review recommended above, take practical steps to:

(i) ensure equality of service and opportunity in all facets of education for dependants of both language groups;

(ii) ensure equally favorable working conditions for all staff, teachers, administrators, etc., of both language groups;

(b) reconsider the per capita formula for grants to schools and establish a new formula which will not be to the disadvantage of schools with small enrolments, or prevent them from having facilities or activities which are considered basic necessities in other, larger schools;

(c) reassess the situation regarding the admittance to DND schools of children who are not dependants of DND employees (paying particular attention to areas where there are no schools in one of the official languages or where enrolment in DND schools is low);

(d) ensure that classes given in French for Francophone children are not required to serve as immersion classes for Anglophones;

(69) (a) avoid situations whereby dependants are forced to be educated in their second language; in order to correct the situation created by the present lack of opportunities in one language, amend the criteria for admission of dependants to classes given in French, so that dependants who were at some point unable to get instruction in their mother tongue through lack of adequate facilities, are not thereby barred from ever going to school in their own language; apply this principle to Anglophones should the need arise;

(b) ensure that relevant Administrative Orders (such as CFAO 54-5) on learning opportunities provided to dependants are consistently applied vis-à-vis both

language groups and interpreted as generously as possible whenever proper observance of the OLA is involved;

(70) (a) amend or modify CFAO 54-5, CFAO 54-1, CFSO 128/75, and any other directives, orders, and agreements relating to the education of dependants, to eliminate all provisions which perpetuate the inequality of status between the two language groups with regard to educational opportunity;

(b) ensure that collaboration with and reliance on provincial, county, or municipal school officials do not in any way work against equality of educational opportunity for both language groups, renegotiating agreements with provinces and school boards, if necessary;

(71) inform servicemen and civilian employees of all available and applicable military and civilian education allowances with a view to helping them have their dependants educated in their mother tongue; take all the steps within its power to have these allowances increased when this is necessary to cover all unusual expenses incurred in order to obtain education in the dependant's mother tongue;

JOB SECURITY AND CONSULTATION

(72) ensure that the Commissioner's recommendations are applied without infringement of employees' job security and opportunity for advancement; if necessary, consult the unions and employee associations in connection with their implementation;

HANDLING OF COMPLAINTS

(73) deal with complaints taken up with the Department by the Commissioner of Official Languages 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 any of the target dates therein.