



President  
of the Treasury Board

Président  
du Conseil du Trésor

# Official Languages in Federal Institutions

Annual Report 1995-96

Canada

# Official Languages in Federal Institutions

***We must...ensure that fundamental values - especially the linguistic duality that is one of defining features - are preserved and strengthened.***

Excerpt of a speech given by the President of the Treasury Board, Mr. Marcel Massé, before the Fédération des communautés francophones et acadienne du Canada, on June 22, 1996.

**Annual Report 1995-96**

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**Speaker of  
the Senate**

Dear Mr. Speaker:

Pursuant to section 48 of the *Official Languages Act*, I hereby submit to Parliament, through your good offices, the eighth annual report of the President of the Treasury Board covering the fiscal year 1995-96.

Yours sincerely,

Marcel Massé

President of the Treasury Board

October 1996

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## Foreword

I am pleased to table before Parliament the Annual Report of the President of the Treasury Board of Canada on the status of the official languages in federal institutions, as required by section 48 of the *Official Languages Act*.

This eighth annual report covers the 1995-96 fiscal year and presents an overview of the progress made by the Official Languages Program in the federal institutions covered by the Act. I am especially proud to submit this report, my first as President of the Treasury Board, since it reports on the achievements and the specific measures taken by this government and its institutions to ensure that the parts of the Act relating to service to the public, language of work and equitable participation are implemented.

My predecessor, the Honourable Arthur Eggleton, launched a series of initiatives designed to improve the delivery of services to the public in both official languages, to increase the accountability of federal institutions, to enhance cooperation with the Commissioner of Official Languages and to intensify monitoring activities.

In this regard, the evaluation of the situation in federal offices required to provide bilingual services, which was carried out by federal institutions at the request of the President, is one of the significant events of the period covered by this report. This initiative of unprecedented scope, which resulted in the preparation of action plans for each office whose performance was inadequate, made it possible to get a comprehensive picture of delivery of federal services to the public in both official languages. The assessment carried out by federal institutions showed that service to the public has clearly improved since the study by the Commissioner of Official Languages and the regional visits by the Treasury Board

Secretariat in 1994. Follow-up actions to be taken in the coming months will ensure that significant and lasting improvements continue to be made.

Past achievements were maintained, and definite, although modest, progress was noted for the two other components of the Official Languages Program in federal institutions, language of work and equitable participation. This year, the report is devoting an entire chapter to language of work and, more specifically, to following up the general recommendations made by the Commissioner of Official Languages in the study he conducted with a sample of federal institutions in the National Capital Region. Along with the overview of action plans on service to the public, this report provides a relatively complete picture of two of the major components of the Official Languages Program.

Program Review was in its second year in 1995-96. I am pleased to note that it has had no negative impact on the attainment of the objectives of the Official Languages Program, especially with regard to the level of services offered to the official-language minority communities.

The various measures taken by the government during the past year demonstrate the importance attached by this government to the Official Languages Program and to its effective implementation in federal institutions. As the new President of the Treasury Board, I intend to pursue the initiatives launched by my predecessor while focusing my own efforts on service to the public and language of work.

Official languages are an integral part of the quality of federal services provided to Canadians. Without them, in other words,

without the delivery of services in both official languages, Canadians cannot claim they receive high-quality services from their federal institutions. It is the responsibility of these institutions to ensure that they not only deliver their services in both official languages, as set out in the legislation, but also provide quality services in each official language. They must ensure, in addition, that these services, while remaining affordable in the current context of financial restrictions, are of the same level in both content and delivery method. In order to do this, federal institutions must integrate official languages into their service standards and ensure that delivery meets expectations. The institutions must also reflect the equal status of the two official languages at all levels of daily activities by giving them an equal position in the workplace. This is the challenge I have set myself, and I ask federal institutions to take it up also.

As my colleague, the Minister of Intergovernmental Affairs, has pointed out, "Our *Official Languages Act*, and the recognition of language rights in the Constitution, constitute a model of that type of arrangement." Canada's approach to bilingualism is exemplary, unique and typically Canadian, in that it is neither coercive nor restrictive. Instead, it puts the emphasis on respect, equity and equality.

I intend to ensure that federal institutions continue to meet their linguistic obligations to Canadians. I encourage my colleagues to combine their initiatives with mine to continue transforming into reality the equal status, rights and privileges of the two official languages in Canadian government institutions, as entrenched in the Constitution.



## Introduction

Canada has adopted an approach to official languages that is admired in many countries, especially those in which different languages coexist. This approach is comprehensive and equitable, and also represents a consistent whole – that proceeds from a general statement of principles to their practical and detailed implementation.

The Canadian approach is based on our Constitution, which entrenches language rights and principles, and is rooted in the *Official Languages Act*. The Regulations on service to the public and official languages policies are a natural extension of this approach and give concrete form to the constitutional rights and principles.

By setting forth the equality of status and equal rights and privileges of English and French in federal institutions, the Constitution clearly establishes that it is not individual Canadians who have an obligation to be bilingual, but the federal institutions that serve them and in which they work. The *Official Languages Act* (the Act) expresses this equality by defining the three pillars of Canadian institutional bilingualism:

- **service to the public**, or the obligation of federal institutions to offer and to provide services to the public in both official languages and the corresponding right of the public to communicate with federal institutions and to receive services in the official language of their choice, where provided for by law;

- **language of work**, or the obligation of federal institutions to create work environments conducive to the effective use of both official languages in bilingual regions designated for this purpose and the corresponding right of federal employees to be able to work in the official language of their choice, within the limits defined by the Act; and
- **equitable participation**, or the government's commitment to seeing that English- and French-speaking Canadians have equal employment and advancement opportunities within federal institutions and that the proportions of English- and French-speaking staff in those institutions tend to reflect the presence of the two official language communities in Canada.

During the past year, the Treasury Board launched a number of initiatives that contributed to the advancement of the Official Languages Program, giving concrete form to the principles of linguistic duality set out in the Constitution.

The 1995-96 year is the first complete fiscal year in which all the provisions of the *Official Languages Regulations (Communications with and Services to the Public)* were in force and in which federal institutions were required to fully comply with the latest set of regulations that came into force on December 16, 1994.

Obviously, one of the significant events of 1995-96 was the evaluation of the official languages situation in all offices required to provide bilingual services, and, in the case of offices whose performance was inadequate, the subsequent submission of action plans. As a result of this initiative of unprecedented scope, it was possible to get an overview of the situation in all federal offices that are required to provide service to the public in both official languages and to make significant improvements.

Parallel to this exercise, the Treasury Board Secretariat (TBS) reviewed the follow-up action taken on the general recommendations made by the Commissioner of Official Languages in his study on language of work in the National Capital Region (NCR). The Secretariat also intensified its activities to monitor implementation of the Program, specifically in the areas of service to the public and language of work. Deputy ministers and agency heads were made aware of their responsibilities and the importance of their role in this regard through ongoing communications. Information sessions and workshops were also organized in various regions of the country to inform the public of its rights and to provide managers and their employees with better information on their linguistic obligations.

To continue to increase the accountability of the organizations subject to the Act and to facilitate implementation of the Program, the Secretariat made a number of tools available to federal institutions, including an audit guide, a questionnaire on client satisfaction with the delivery of services in both official languages and a questionnaire that allows managers to assess the status of official languages in their units.

Since 1995-96 was the "language-of-work year," TBS and federal institutions undertook several initiatives that included distributing a questionnaire on the use of both official languages in the workplace, holding a series of workshops on language of work, carrying out a survey on language of work in New Brunswick and preparing an audit guide for identifying the language requirements of positions.

In view of the increased importance of electronic communications, the TBS distributed a *Guide to Internet Use in the Federal Government*, which included a section on official languages. In addition, the Secretariat undertook to streamline Program management by making translation services optional and increasing the flexibility of language-training administration. Program costs were no longer affected by retroactive payments of the bilingualism bonus to members of the RCMP and returned to a level well below \$300 million.

The past year was marked by the consolidation of previous achievements. On the whole, there is reason to be optimistic about the status of the Program despite the existence of some isolated problems of which federal institutions have been made aware and which they are working to resolve.

Next year, the Treasury Board will concentrate on following up on the service-to-the-public action plans, on continuing to streamline language-training administration on simplifying accountability frameworks, on integrating official languages more fully into the ongoing activities of federal institutions, and on monitoring Program implementation, specifically with regard to the important role supervisors and members of the Executive group play in the success of the Program. Through its actions, the Treasury Board will help to advance the Program in federal institutions, thus confirming the place of English and French in Canadian society and their daily contribution to enriching our country.

# Chapter 1

## General Direction and Coordination of the Program

This chapter reviews the activities undertaken by the Treasury Board in 1995-96 to support its role in the general direction and coordination of the Official Languages Program in federal institutions under the *Official Languages Act*.

## **Roles and responsibilities**

The Treasury Board is a Cabinet committee that, in the area of official languages, is responsible for the general direction and coordination of federal policies and programs relating to the implementation of the legislative provisions on service to the public, language of work and the equitable participation of English- and French-speaking Canadians in federal institutions subject to the Act, with the exception of the Senate, the House of Commons and the Library of Parliament.

Under this mandate, the Treasury Board must set out the policies and directives required to implement the provisions of the Act, ensure that federal institutions fulfil their official languages obligations, assess the effectiveness of programs and policies, and inform the public and federal employees of federal language policies. It should be explained that, although the Act does not assign it specific responsibilities in this area, the Treasury Board is playing an increasing role for privatized organizations, since all of the official languages legislation also applies to many of these entities, whose number continues to grow as a result of alternative service and program delivery initiatives.

The Treasury Board meets its responsibilities with the support of its Secretariat and, more particularly, of the Official Languages and Employment Equity Branch (OLEEB). The branch's principal mandate is to interpret policies and make proposals for new policies as required, facilitate and monitor implementation of the Program and contribute to a better understanding of it by federal employees and the Canadian public.

Although under the Act the President of the Treasury Board is responsible for answering to Parliament for implementation of the official languages legislation, federal institutions themselves are responsible for ensuring that it is implemented in concrete terms in their daily operations. Accordingly, federal institutions (departments, agencies and Crown corporations), as well as privatized organizations play a vital and a decisive role in the Program's success.

It is their responsibility to ensure, where provided for by the legislation, that Canadians are served in the official language of their choice, to create work environments conducive to the effective use of both official languages, and to provide equal employment and advancement opportunities to the members of the two official language communities. They must also effectively manage the implementation of their official languages program.

For this purpose, institutions must adhere to the policies and implementation guidelines issued by the Treasury Board and monitor their application, and establish internal accountability mechanisms to allow them to meet their obligations. Finally, federal institutions help the Treasury Board carry out its mandate by reporting to it on the results they attain.

The roles and responsibilities of the Treasury Board and of federal institutions are defined in a clear and effective accountability framework in which the objectives to be reached are specified. This provides the basis on which the President, in the context of the results achieved, can report to Canadians each year on the status of the official languages and on the progress of the Program in federal institutions.

## Accountability framework

The official languages accountability framework put in place by the Treasury Board Secretariat is the reference tool for management of the Official Languages Program in federal institutions. Its structure is provided by the *Official Languages Act*, by the Regulations on service to the public and by the official languages policies issued by the Treasury Board to clarify the legal requirements.

The accountability framework is organized to include the obligations of each organization concerned, accountability instruments, monitoring mechanisms and lines of responsibility and accountability. It is designed to put the emphasis on results, with the ways of attaining them being left to the discretion of the institutions.

As previously stated, responsibilities for official languages lie primarily with the federal institutions, as prescribed by the principle of Canadian institutional bilingualism. Each institution must, therefore, ensure that it is efficiently and effectively meeting its responsibilities with regard to both service to the public and language of work, and that it is fulfilling the government's commitment to equitable participation. For this purpose, federal institutions must establish their own internal accountability mechanisms at both the executive and front-line manager levels.

The institutions must also report to the Treasury Board on the results they achieved and the progress they make so that the President can report to Parliament on the status of official languages. The TBS has put in place two primary mechanisms, based on cooperation and complementary roles, to help federal institutions meet their linguistic obligations to Canadians and their employees: accountability instruments and monitoring.

Accountability instruments are a form of contract, or official language agreements between each institution and the Treasury Board and, in the final analysis, the Canadian public. These

agreements cover a period of two to three years, are negotiated with the TBS and set out the commitments of the institutions in relation to each of the Program's three major components.

These commitments are presented as objectives to be achieved within specific periods. Success in attaining the objectives is measured by performance indicators based on data collected from information sources available to the institution. In addition, institutions report to the TBS on the progress achieved in an Annual Management Report.

Upon their expiry, agreements are renegotiated or extended and, where the official-languages situation in the institution in question is considered fully satisfactory, they may be replaced by an exemption. In this case, the institution is exempted from having to negotiate an agreement, but it must continue to justify the exemption by submitting a brief annual report.

With the goal of simplifying and streamlining Program administration, the TBS also offers interested institutions with 100 or fewer employees and a record of good performance in the official-languages area the option of signing a simplified agreement in the form of a letter confirming the institution's commitments with respect to the Program.

Since this accountability framework was introduced in 1988, some 137 agreements and letters of understanding<sup>1</sup> have been signed by federal institutions. In addition, five institutions had an exemption as of March 31, 1996.<sup>2</sup>

Accountability instruments, which are designed to ensure that federal institutions meet their official languages obligations, focus on results,

<sup>1</sup> Including simplified agreements. It should be noted that this total also includes second-generation letters of understanding.

<sup>2</sup> They are the Registrar's Office of the Supreme Court of Canada, the Office of the Registrar of the Tax Court of Canada, the National Library of Canada, the Public Service Commission of Canada and the Department of Justice Canada.

on maintaining past achievements and on improving situations that require it. Federal institutions, therefore, have the choice of the means they consider appropriate to meet their obligations.

The second mechanism used for this purpose is monitoring, by the TBS and federal institutions themselves, of the implementation of the Program. This mechanism complements the accountability framework in the sense that the progress made and the strengths and weaknesses of institutions are measured and determined partly on the basis of the results of audits, reviews, studies and assessments.

In addition, the monitoring mechanism not only enables the Treasury Board to take stock of the status of the Program, but also makes available to federal institutions the tools they need to meet their obligations. In recent years, in light of the various reorganizations and budget cuts affecting federal organizations, the TBS has increased its audit activity and reinforced its role as a facilitator and coordinator for implementation of the Official Languages Program.

Its flexible design, adaptability and comprehensiveness make the accountability framework the preferred tool for management of the Official Languages Program by the Treasury Board. Its effectiveness has been demonstrated many times and it has resulted in definite improvements in the Program. The update on the situation provided by the action plans on service to the public required by the President of the Treasury Board is, moreover, the most recent illustration of this.

### **Activities carried out by the Treasury Board in support of its role**

In 1995-96, the Treasury Board, through its diverse initiatives, demonstrated its role as leader, coordinator and facilitator for implementation of the Official Languages Program.

Like the federal government as a whole, the Official Languages and Employment Equity Branch has simplified and rationalized its administrative structure. The purpose of this reorganization was to reflect the nature of the branch's relationships with the various players, to clarify the scope of its activities in the official-languages area and to reflect the change in the role of government and its institutions and the new methods of operating and of delivering federal services. During the past year, OLEEB relied on three divisions to carry out its official-languages responsibilities:

- the **Official Languages Legislation and Policies Division**, which is specifically responsible for interpreting legislation and policies; for developing and communicating policies; for analysis and review; for work related to parliamentary activities; for liaison with official-language minority communities, federal employees and other levels of government; and for information and consultation activities;
- the **Program Division/Departments and Agencies Sector**, whose mandate is to negotiate and follow up on letters of understanding, monitor implementation of the Program, and carry out liaison, support and consultation activities with those responsible for official languages in departments and agencies; and
- the **Program Division/Crown Corporations Sector**, which has the same responsibilities as the Program Division/Departments and Agencies Sector, but for Crown corporations and privatized organizations subject to the *Official Languages Act*; the establishment of this new division reflects the greater importance of privatization and of new ways of delivering programs and services.

In 1995-96, OLEEB had 37 full-time equivalents<sup>3</sup> to support the Treasury Board in implementing its official-languages mandate. The Treasury Board Secretariat allotted \$3.8 million to the general direction and coordination of the Program in federal institutions. The major activities carried out in this regard in 1995-96 are described in the following paragraphs.

### **Audit and monitoring**

A significant activity in this area was undoubtedly the summary of service to the public that was prepared from the action plans requested by the former President of the Treasury Board. Following his appearance before the Standing Joint Committee on Official Languages on March 1, 1995, the President had asked all federal institutions to report to him on the situation of service to the public in all their offices required to serve the public in both official languages, and, in the case of each office in which shortcomings existed, to submit detailed action plans reporting on measures taken and proposed.

As indicated in Chapter 2, the evaluation conducted by federal institutions and the measures they indicated they had taken to correct the situation produced generally positive results although there is still room for improvement. Over the next few months, the TBS will have to ensure that the required follow-up actions are taken in the offices where problems persist, and to confirm through its audits that the indicated measures have, in fact, produced the desired results. As specified by the former President, federal institutions in which service to the public remains unsatisfactory must continue to report to the TBS every six months until the required corrective measures are in place and operational in all the offices concerned.

<sup>3</sup> The expression "full-time equivalent" is a unit used to measure human resources in the federal government. The number of full-time equivalents does not necessarily correspond to the total number of employees, since it is based on the number of hours worked during this year.

During the past year, the TBS carried out a number of audits of the Official Languages Program. For example, the second phase of the audit of services to the public covered 11 more Census Metropolitan Areas (CMA) in Ontario and Western Canada, bringing to 13 the number of CMAs audited since 1994-95. The Phase I results and the Phase II preliminary findings indicate that the situation appears to vary from one office to another and from one region to another; some offices have very satisfactory ratings, while others are having some problems in effectively meeting their obligations.

In 1995-96, the TBS also carried out a survey on language of work among federal employees working in New Brunswick. This survey will be completed during the next fiscal year and will, if necessary, be supplemented in a second phase by interviews with managers and employees in areas where the survey results indicate problems. This major survey, which will have covered some 6,000 employees overall, should be followed next year by a similar survey in other regions designated bilingual for the purposes of language of work.

The Secretariat also conducted two other audits at the same time. The first was on the availability to employees, for language-of-work purposes, of automated systems in both official languages; it took place in the NCR. It covered about 15 federal institutions and was designed to establish to what extent these institutions were meeting their responsibilities when acquiring information technology products and services; to confirm that computer software and hardware and related services such as training and help services were, in fact, available in both official languages where required by the Act; and to measure the satisfaction of employees in the two linguistic groups concerning availability of automated systems and services in both official languages.

The last of these audits dealt with language requirements of positions and covered a sample of some 250 positions in Quebec. Its aim was to ensure that the language requirements of



positions were appropriate and correctly identified, that is, to say, that they adequately took into account the language obligations of the institutions covered and that they enabled institutions to have sufficient bilingual capacity to fulfil their obligations.

Lastly, the TBS published the results of the 1994-95 audit on use of translation services, which shows that institutions use translation services effectively, although they still need to formalize their procedures for authorizing and controlling translation requests, and to update their internal policies on production of texts in both official languages. The TBS will follow up on implementation of the recommendations in the final audit report during the next fiscal year.

As previously mentioned, the Treasury Board's monitoring activities within the official languages accountability framework include not only the audits conducted by the TBS, but also the results of internal audits carried out by federal institutions themselves. During the period in question, the TBS received seven internal audit reports dealing wholly or partly with official languages.

Overall, the reports indicate a number of shortcomings, including inadequacy and lack of clarity of communications relating to official languages, misunderstanding of the concepts of "active offer of services" and "services of comparable quality in both official languages," unequal levels of service delivery from one office and one institution to the next, lack of accountability of front-line managers, and non-integration of official languages into daily operations. The recommendations in these reports are usually the subject of management responses and the TBS confirms in the months following publication of the reports that the required actions have been implemented.

In 1995-96, the Secretariat played its role as facilitator for implementation of the Official Languages Program by making a number of tools available to federal institutions. In November 1995, OLEEB distributed to

departments and agencies the *Questionnaire on the Use of the Official Languages at Work*. This questionnaire, which was based on a similar questionnaire designed by Crown corporations, takes the form of a survey to be conducted among employees of the institution, and is adaptable to the specific needs of user institutions. Its basic purpose is to establish whether employees have been informed of their rights regarding language of work, whether their work environments are conducive to the use of both official languages and allow staff to use either language, and whether the institution provides the services prescribed by the Act, in both official languages. The questionnaire was used by the TBS for the survey on language of work conducted in New Brunswick at the end of the fiscal year. This tool also includes advice on how to analyze the data.

In February 1996, OLEEB also distributed to federal institutions the *User Guide - Questionnaire on Client Satisfaction With the Offer and Delivery of Services in Either Official Language*. This guide consists of the questionnaire itself and the various methods that can be used to administer it, and also describes the advantages and disadvantages of each method. The guide was pretested in various regions of Canada and can be used by a specific office as well as by an entire institution. It should be a particularly valuable tool for measuring client satisfaction. The information collected by this means should also enable user offices to make any necessary improvements. Finally, the questionnaire can be used in its existing form or included in a more general survey of client satisfaction, and it is directly in keeping with the Quality Service initiative, which is designed to improve delivery of quality services to Canadians, a goal being pursued by the government across Canada.

The TBS also completed preparation of the *Audit Guide - The Official Languages Program in Organizations Subject to the Official Languages Act*, which was issued in late March 1996. The guide was distributed to all federal

institutions and covers every component of the Program. It should help internal auditors carry out detailed audits of implementation results and compliance with the official languages legislation and policies. The guide was designed to accommodate an audit of a specific aspect of the Program, such as delivery of personal and central services in both official languages or, alternatively, an entire component of the Program, such as language of work. Based on the obligations under the Act, it defines audit objectives and criteria and supplements these with methodologies enabling internal auditors to select ways to measure and assess how well set objectives are attained. It also contains a set of other tools, including definitions of various official-languages terms, a questionnaire on evaluation of official-languages status for managers and tools to measure client and employee satisfaction.

The branch has prepared a new computerized directory of federal offices in Canada called *Burolis*. The directory includes both offices with an obligation to provide service in both official languages and other federal offices, and is the only official and comprehensive list of its kind in the federal government. It contains not only identifying information for each office, but also information on the nature of their linguistic obligations. It can, therefore, be used for both service to the public and language of work. Through its search function, the users of this operator-friendly directory can obtain the address of a specific office, a list of all the offices of a specific institution or all federal offices in a specific municipality, region or province, or the telephone or fax number of an office or the person responsible for official languages, or can make the required updates based on information sent by institutions. *Burolis*, a shortened version of which should be available on the Internet during 1996-97, should be an invaluable source of information for the public and an especially effective program management tool for the TBS and all federal institutions.

Lastly, because the TBS is cognizant of the growing importance of the electronic media, especially the Internet, in modern communications, it published in July 1995 the *Guide to Internet Use in the Federal Government*. One part of this document deals specifically with official languages and contains the principles to be observed by federal institutions when they communicate with the public through the Internet or use this medium to distribute information or documents.

### Information

Under the *Official Languages Act*, the Treasury Board is responsible for providing information to the public and to the staff of federal institutions on the government's official-languages policies. In carrying out this mandate, OLEEB launched a series of workshops in October 1995 for federal employees and managers on delivery of services to the public in both official languages. These workshops, whose purpose was to remind participants of the principles of active offer of service and to explain means of delivering bilingual service, were held in the Western provinces, the Maritimes, the Northwest Territories and the Yukon, and provided participants with an opportunity to discuss their respective experiences and initiatives. About 1,400 federal employees have already attended the 35 workshops organized so far, during which representatives from Canadian Heritage also discussed the specific characteristics of the official language minority communities they serve.

During these sessions, OLEEB staff presented an especially well-designed video on official languages. This initiative of the Official Languages Division of Revenue Canada deals in a clear and striking way with active offer of services in both official languages and shows that official languages are an integral part of service quality. Although primarily intended for Revenue Canada staff, the video is a way to make all employees aware of their linguistic responsibilities to the two official-language communities

and illustrates that it is usually not difficult to comply with the requirements of the Act. The TBS wishes to thank Revenue Canada for allowing it to use this video and congratulates it on this initiative.

The TBS also introduced a new series of workshops on language of work in order to raise the awareness of federal managers and employees working in the NCR and the regions designated bilingual for the purposes of language of work regarding their rights and responsibilities, and to explain to them in concrete terms the various components of the relevant Treasury Board policies. During these workshops, which were initially held in Northern Ontario and attracted about 260 employees, participants had an opportunity to learn about ways to help create and maintain work environments that are genuinely conducive to the use of both official languages and to resolve various implementation problems. These workshops will continue during the next year and will be given in all the other designated bilingual regions.

As part of the second component of its information activities, the TBS organized a number of information sessions for official-language minority communities, particularly in the Northwest Territories, Manitoba, Prince Edward Island and Quebec. Branch staff also continued, on a regular basis, to meet and consult with representatives of these communities by attending the annual general meetings of their associations. Through these ongoing contacts, the TBS kept itself informed of the concerns of the official-language communities and ensured that implementation of the various Program components continued to meet their needs.

The branch also responded to inquiries it received from teachers, students, researchers and individuals who wished to obtain further explanations of certain aspects of the Official Languages Program in federal institutions. For example, the branch played host to two foreign delegations, one from Wales and the other from

the Irish Republic, interested in learning about the Canadian approach, especially as it relates to the delivery of services to the public.

In March 1996, the TBS updated and reprinted two of its popular publications. These were the quick-reference guides entitled *Active Offer of Services in Both Official Languages/Offre active de services dans les deux langues officielles* and *Official Languages Regulations on Service to the Public-Synoptic Table/ Règlement en matière de service au public dans les deux langues officielles-Tableau synoptique*.

Lastly, in cooperation with Training and Development Canada, the branch continued to offer the "Orientation to Official Languages" course, which not only presents an overview of the Official Languages Program in federal institutions and of its development, but also explains its principles and implementation methods. The emphasis is on the rights of the public and of employees and on the obligations of federal institutions with regard to each Program component. The course, which was given twice in the NCR in 1995-96, should be reviewed soon in order to reflect the changes to both federal service delivery methods and management of the Program, as well as official-languages promotion activities.

### **Support, consultation and cooperation**

The Treasury Board's activities in relation to the various players in the official languages field are essential for the effective implementation of the Program in federal institutions.

In the context of the changing role of government in every field and the modernization of federal programs and services to respond to the current and future needs of Canadians, and given the associated initiatives to privatize and commercialize a number of Crown corporations and to consider new ways of delivering federal services with an emphasis on partnership and efficiency, OLEEB devoted special attention to ongoing projects to ensure that official

languages considerations are taken into account in creating the new entities. During the past year, the branch was closely associated with the study of these new initiatives through its participation in various working groups responsible for reviewing them and the various means of delivering services and programs.

The TBS continued its close cooperation with the Office of the Commissioner of Official Languages. Officials of the two agencies met a number of times during the year to discuss common concerns and to coordinate their actions concerning federal institutions. In this regard, the TBS is closely monitoring the follow-up by federal institutions of the recommendations made by the Commissioner of Official Languages in his studies and investigations and also in his annual report. In 1995-96, OLEEB accordingly contacted all federal institutions to ask them to take all the actions needed to implement the recommendations made by the Commissioner in his recent study of language of work in the National Capital Region.

The TBS also maintains ongoing contacts with other central agencies, including the Department of Justice, the Privy Council Office, the Department of Canadian Heritage, the Public Service Commission, Language Training Canada, and the Translation Bureau (of the Department of Public Works and Government Services), that have specific official-languages responsibilities.

The TBS has established a particularly effective mechanism for consulting with federal institutions, which allows it not only to provide information to those responsible for official languages, but also to obtain their viewpoints on matters of common interest and to make them aware of the major official-languages priorities. In the case of separate employers and institutions for which the Treasury Board is the employer, this mechanism takes the form of the **Departments and Agencies Advisory Committee on Official Languages**, and in the case of the other organizations subject to the

*Official Languages Act*, it takes the form of the **Crown Corporations and Agencies Advisory Committee on Official Languages**.

Both committees, each of which consists of representatives of about 15 institutions, meet at regular intervals to discuss various topics associated with official languages. For example, in 1995-96, the Departments Advisory Committee considered the results of the OLEEB regional visits, the service-to-the-public action plans submitted by federal institutions, program audits, the attainment of the CBC level by members of the Executive group, the *Guide to Internet Use in the Public Service*, computer-assisted translation and the new Positions and Classification Information System.

The Crown Corporations Advisory Committee also dealt with the action plans, OLEEB regional visits and the Internet, but it also considered mechanisms to monitor implementation of the Program as well as the accountability framework for Crown corporations.

On April 1, 1995, with a view to streamlining and simplifying data-collection procedures, the TBS set up the Position and Classification Information System (PCIS) to integrate certain of the Secretariat's information systems on human resources, including official languages. The previous Official Languages Information System (OLIS) consisted of two components, one for departments and agencies (OLIS) and one for Crown corporations, the Armed Forces and other organizations for which the Treasury Board is not the employer (OLIS II). With the roll out of PCIS, only the second component of the previous system, OLIS II, which has been improved in various ways during the past two years, remains in place. Despite the unavoidable problems initially associated with introducing an information system as complex as PCIS, the TBS is confident that it will soon be able to provide data that is as complete and reliable as it was in the past, after completing the breaking-in period.

During the past two years, and in light of the phenomenal growth of the Internet in the federal government and the ever-increasing number of public- and private-sector users, the TBS has also turned to this leading-edge communications technology. For example, the last two issues of this report were posted on the Internet. In addition, beginning next year, the Official Languages Information Network, OLIN, will be accessible via the Internet to employees in federal institutions that subscribe to Publiservice, the federal Public Service internal network. Those responsible for official languages in federal institutions will thus be able to have access to documentation and information relating to the Program and to discuss matters of common interest.

Lastly, the Treasury Board undertook to streamline the management of translation and the administration of language training. On April 1, 1995, the translation envelopes system previously used to manage translation demand was abolished and the corresponding funds were transferred to departments and agencies.

The Treasury Board is planning to amend the policies on language training and on staffing of bilingual positions. The purpose of these amendments is to increase the flexibility of the current system, particularly by introducing a standard 24-month exemption period for meeting language requirements following non-imperative staffing of a bilingual position, without any distinction between first and subsequent appointments. These changes will also eliminate the maximum number of language training hours an employee may take during his or her career. As a result, the Language Training Module should be eliminated during the next fiscal year.

The TBS has also undertaken to update Appendix F of the "Contracting" volume of the *Treasury Board Manual*, which deals with official-languages requirements in awarding contracts, in order to reflect the new legislation and the revision of official-languages policies.

## **Chapter 2**

# **The Situation in Federal Institutions**

The *Official Languages Act* requires the President of the Treasury Board to report to Parliament on the implementation of official language programs in federal institutions within its mandate. This second chapter, therefore, presents a picture of the official-languages situation in federal institutions with regard to service delivery in both official languages, language of work and equitable participation, as well as support measures and Program management.

## Overview

As indicated by the detailed observations under each of the headings below, implementation of the Official Languages Program in federal institutions remains positive overall and some progress should be noted. Problems remain in some locations, specifically with regard to active offer of services to the public in both official languages, communications with employees, public information and the “bilingualization” of automated systems, for example. The Treasury Board is aware of these difficulties, which are, however, confined to certain locations and offices, and is continuing to work with the federal institutions concerned to resolve them.

The measures to streamline and reorient government activities, including Program Review, as well as expenditure cuts and staff reductions, have had no negative impact on the number and distribution of bilingual positions (tables 1 and 3), the participation of Anglophones and Francophones (tables 12 and 13) and the pool of bilingual employees (Table 2).

In fact, the number of bilingual positions has increased by about six per cent compared with the previous year, while during the same period the number of Public Service staff decreased by some seven per cent. Taken together with a decrease of some seven per cent in the number of unilingual English positions, the increase in the number of bilingual positions is probably a

partial reflection of the impact of measures taken by federal institutions to meet their linguistic obligations in a context of declining staff numbers. In addition, as indicated by Table 3, this increase occurred in all regions.

As Table 2 shows, not only did the pool of bilingual employees increase in absolute and relative numbers, but also the vast majority of bilingual employees, almost 90 per cent, had either superior or intermediate proficiency in their second language. An indication of the maturity of the Program is that the pool of bilingual employees in the Public Service continues to exceed requirements by 15 per cent.

However, a number of incumbents of bilingual positions still do not meet the language requirements of their positions (Table 4). This situation does not really represent a problem since these employees account for only six per cent of all incumbents of bilingual positions and in these circumstances it remains the responsibility of federal institutions to take the required measures to meet their official languages obligations. It should, however, be noted that there was, on the one hand, an increase in absolute terms (from 53,458 to 56,802 employees) in the number of incumbents who met the language requirements of their bilingual positions and, on the other hand, a very marked decline, in the order of 82 per cent, in the number of incumbents who must meet the language requirements of their positions.

Given the large pool of bilingual employees in the Public Service, it may reasonably be asked why all bilingual positions are not occupied by employees who meet their language requirements at the outset. This is due to a number of factors. First, even if language knowledge is an element of merit, candidates for bilingual positions must also have the other qualifications required for these positions. Moreover, consistent with the government’s commitment to this effect, unilingual Canadians have access to a significant proportion of bilingual positions, provided that they are willing and able to take language training. Finally, on compassionate

grounds, a number of employees occupy bilingual positions without having to meet their language requirements, and have incumbent's rights, for example, because of age or long service.

Continuous raising of the language requirements of bilingual positions has also been noted for a number of years. Thus, in 1996, the percentage of bilingual positions requiring superior proficiency in the second language increased once again, by one per cent (Table 5). This was, in fact, a substantial increase of about 15 per cent from the previous year, which is especially significant in view of the fact that the number of positions requiring minimum proficiency fell by more than seven per cent during the same period, although it remained stable as a percentage of all bilingual positions. Indeed, as of March 31, 1996, almost all bilingual positions, or 94 per cent of the total, required superior or intermediate proficiency in the other official language.

Looking more specifically at each of the three major Program components, overall, institutions generally met their official languages obligations. As indicated by the data in the tables on bilingual positions, the required infrastructure is in place. Thus, while the same proportion of incumbents of bilingual positions allocated to service to the public and internal services meet the language requirements of their bilingual positions, their number has increased. This is also true of the number of bilingual positions requiring superior or intermediate proficiency in the other official language (tables 6 to 9).

The action plans on service to the public submitted by federal institutions have given rise to a significant improvement in the situation in federal offices and points of service required to serve the public in the official language of its choice. Thus, in September 1995, almost all of these offices and service points had put in place permanent or temporary measures to provide service in person and by telephone in both official languages.

With regard to language of work, points to be noted include the positive impact of initiatives launched by federal institutions throughout the fiscal year, the usefulness of the tools developed by the TBS to help departments and agencies better meet their obligations, and the ongoing communication with institutions. Departments and agencies also took measures to follow up on the recommendations made in 1995 by the Commissioner of Official Languages in his study on language of work, and these have resulted in further improvements in the situation. For example, the percentage of supervisors who meet the language profile of their bilingual positions increased by four per cent, and the percentage of supervisory positions requiring superior second-language proficiency rose to 27 per cent from 25 per cent the previous year.

However, some problems relating to language of work persist in certain locations and still require the combined attention of the TBS and the institutions concerned. This is the case, for example, for electronic communications and information, the capacity of senior management to function in both official languages, automated systems and delivery of training and development services.

In the case of equitable participation, the situation remains generally stable and satisfactory. Anglophone and Francophone participation rates tend on the whole to reflect the representation in Canada of the two language groups, despite the continuing existence of certain isolated problems, such as the low participation rate of Anglophones in the federal Public Service in Quebec. A small increase in the national participation rate of Francophone federal employees was, however, noted, 29 per cent as of March 31, 1996.

In summary, the progress made during the year in question reflects the ongoing and continuous improvement of the Program over the years and its sound foundations, as well as the combined actions taken by federal institutions to resolve various specific implementation problems.



## Service to the public

The *Official Languages Act* clearly defines the linguistic obligations of federal institutions and their offices with regard to service to the public in the NCR. The *Official Languages (Communications with and Services to the Public) Regulations* specify in detail the circumstances in which federal institutions and their offices are required to provide their services to the public in both official languages elsewhere in Canada and abroad. The Regulations set out the obligations of offices based on such criteria as significant demand, the nature of the office and the services provided to the travelling public by third parties.

The Regulations adopted in December 1991 provided that they would be phased in during a three-year period beginning in 1992. Since the last regulatory provisions came into effect on December 16, 1994, the 1995-96 year was, in fact, the first complete year in which all the provisions of the Regulations applied.

Under the approach adopted by the Act and the Regulations, almost all Canadians are assured of receiving services from their federal institutions in the official language of their choice. The effect of the rules set out in the Regulations is to take into account not only the distribution of the official-language minority communities and of federal office networks throughout Canada, but also the kinds of federal services provided to the public.

The Regulations use criteria such as the relative and absolute size of official-language minority communities and the distribution of their population to determine “significant demand” (general rules relating to significant

demand). They take into account the number of offices of the same institution and the type of services they provide in the regions where an official-language minority community exists (general rules relating to significant demand); and recognize, on the one hand, that the existence of significant demand may depend on factors other than population alone (specific rules relating to significant demand), and, on the other hand, that certain services must be provided regardless of the level of demand (rules relating to the nature of the office). Using these criteria, the Regulations guarantee Canadians in both language groups equitable and easy access to the services of federal institutions. Figure 1 below shows the percentage breakdown of federal offices required to provide services in both official languages by type of applicable rule, as of March 31, 1996.

**Figure 1**

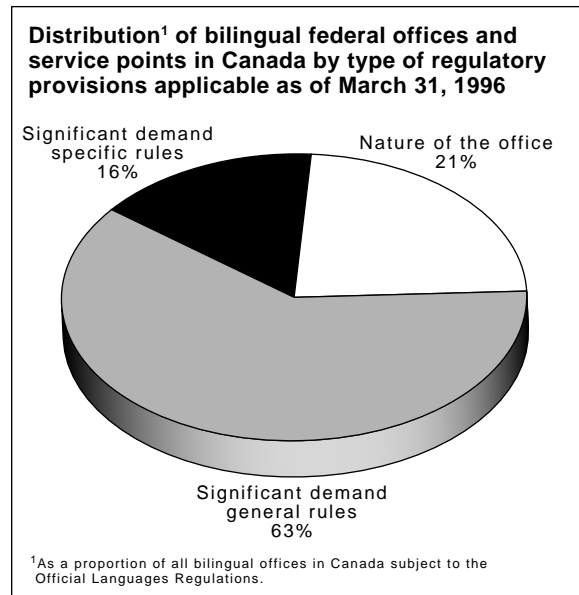
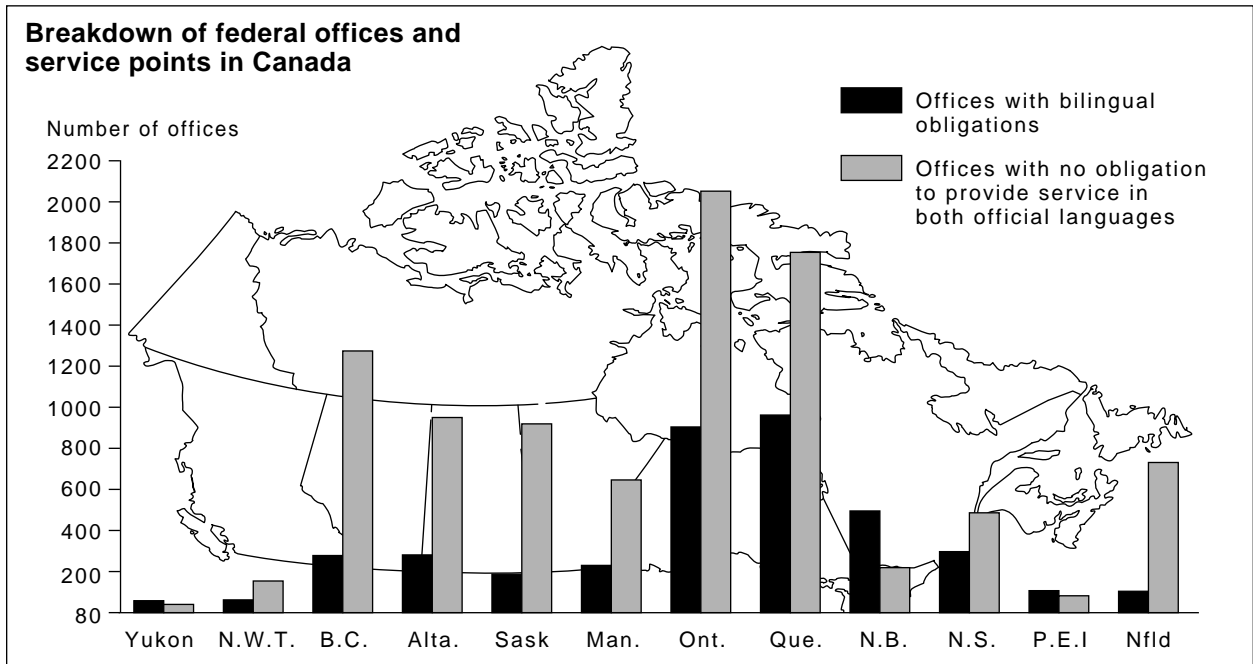


Figure 2 below illustrates the breakdown of federal offices and service points in the provinces and territories and the number of those required to provide services in both official languages. In all, as of March 31, 1996, slightly more than one quarter of federal offices in Canada (approximately 27 per cent) were required to provide bilingual services to the public.

According to the analysis conducted by federal institutions and the action plans they submitted to meet their linguistic obligations to the public if shortcomings were noted, the situation has improved significantly since that time, and progress has been noted with respect to the three indicators of service to the public: service in person, service by telephone and active offer of services. Thus, across Canada, in-person and telephone services are available

**Figure 2**



A series of TBS visits across Canada in 1994 and a study conducted at about the same time by the Commissioner of Official Languages determined that the situation concerning service to the public in bilingual offices was relatively satisfactory, although it varied from one region to another and from one office to another. The previous President of the Treasury Board therefore decided in March 1995 to ask federal institutions to evaluate the official-languages situation in all offices and service points required to serve the public in the official language of its choice, to take any corrective action necessary, and to report to him on this matter.

in 98 per cent<sup>1</sup> of offices, compared with 85 per cent and 88 per cent in 1994-95 respectively. Progress was especially remarkable in the area of active offer of services, for which the percentage of offices with an adequate performance increased from 53 per cent to 97 per cent.<sup>2</sup>

Of course, although the vast majority of offices (more than 90 per cent in some areas) meet their obligations, the situation is not perfect and

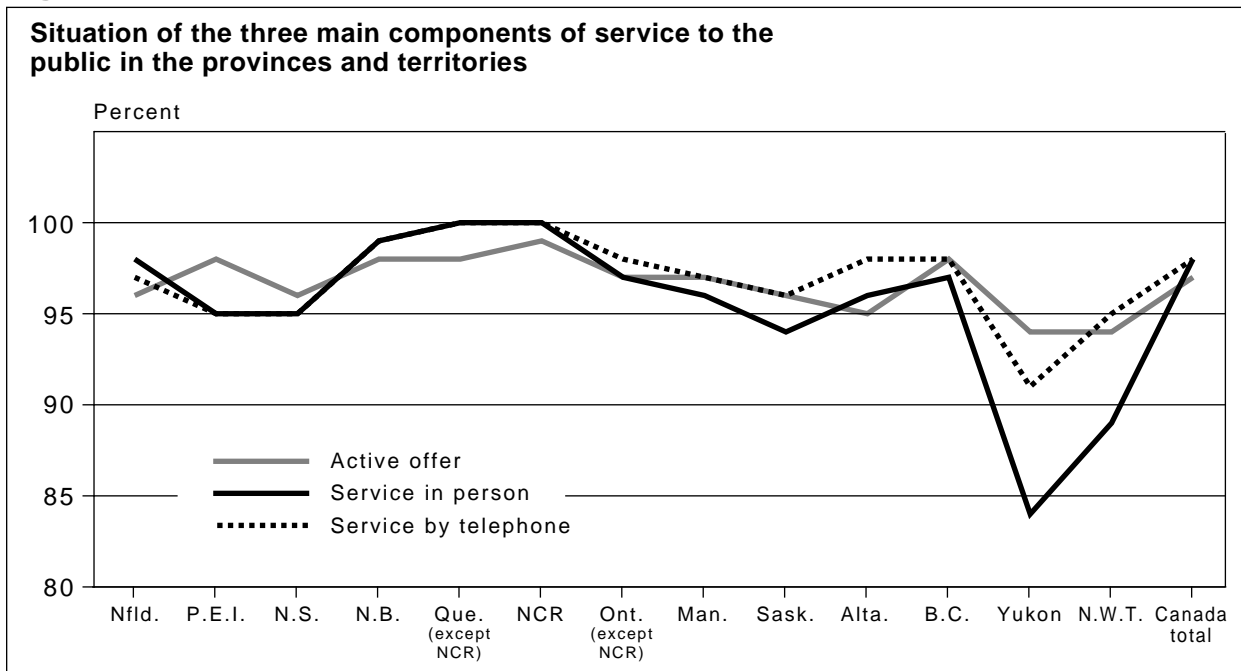
<sup>1</sup> Including offices that implemented temporary measures.

<sup>2</sup> Source: *Availability of Service to the Public at Designated Offices under the Official Languages Act*, Report submitted to the Standing Joint Committee on Official Languages, Treasury Board Secretariat, Official Languages and Employment Equity Branch, June 1996.

there is still room for improvement: some offices have not established action plans, while others are using temporary measures to provide only minimal service in the official language of minority communities. Figure 3 shows the situation regarding service to the public in both official languages in the provinces and territories in the areas of service by telephone, service in person and active offer.

The progress achieved so far in the area of service to the public is, moreover, reflected in the greater capacity of federal institutions to offer their services to the public in both official languages where they are required to do so, under the terms of the Act and the Regulations. This capacity, which can be measured in the number of bilingual positions allocated to service to the public, increased by four per cent

**Figure 3**



In accordance with the commitment made by the previous President, the TBS will monitor the situation closely and ensure that all offices that have not yet implemented action plans or that have adopted temporary measures continue to report to it until the situation is considered adequate.

The Secretariat plans to continue its audits of service to the public and to analyze the internal audit reports submitted to it by federal institutions. In 1995-96, the TBS published the results of the first phase of an audit of service to the public conducted between January and March 1995 in the Toronto and Halifax Census Metropolitan Areas. This audit revealed a number of shortcomings, most of which have since been corrected as a result of action plans submitted by the institutions concerned.

in 1995-96 (Table 6). This improvement is all the more significant since the Public Service workforce decreased by some seven per cent during the same period. In other words, financial cutbacks have had no negative impact on the capacity to provide the public with bilingual services, quite the contrary.

Similarly, the number of incumbents who meet the language requirements of these positions has also increased, although the percentage was unchanged from the previous year (91 per cent). On the other hand, both the number of employees exempted from meeting the language requirements of their positions and the number of employees who must meet them following a non-imperative appointment declined. This decrease was especially marked in the case of employees who must meet the

language profile of their positions; they now represent less than one per cent of all incumbents of bilingual service-to-the-public positions.

As well as increasing in numbers, the capacity to provide service in both official languages improved in quality. Thus, 21 per cent of bilingual positions allocated to service to the public required superior proficiency in the other official language (Table 7), two per cent more than in 1995. In relative terms, this is an increase of close to 10 per cent from the previous year. In fact, almost all bilingual positions allocated to service to the public (97 per cent) require superior or intermediate proficiency in the second language.

During the period in question, the government continued to use alternative methods of delivering services and programs, including privatization and commercialization initiatives. To ensure that these projects take into account official-languages considerations, OLEEB was consulted and asked to provide advice, for example, in the case of Transport Canada's Air Navigation System, the Canada Business Service Centres and Canadian National Railways, among others. The change in status of some of these organizations did not exempt them from their official-languages obligations, and the documents providing for their devolution or transfer include specific language provisions, particularly with regard to service to the public.

During the months to come, OLEEB will continue to be involved in the projects announced in the March 1996 Budget to set up new service agencies, such as the Single Food Inspection agency, the Canada Revenue commission and the Parks Canada agency. Canadians will thus be assured that the government is taking steps to ensure that they will continue to receive the services they need in the official language of their choice, where provided for by legislation.

As with the departments and agencies, at the request of the TBS, Crown corporations and private organizations subject to the *Official Languages Act* evaluated, in 1995-96, the situation regarding service to the public in their offices required to serve the public in the official language of its choice. In the course of this exercise, certain institutions took specific measures. For example, the Business Development Bank of Canada paid special attention to official languages in selecting its new acronym; it also took into account its new official-languages obligations in the agreement it reached with the Treasury Board.

The National Museums placed particular emphasis on integrating the official languages into their new information technology. For example, they took steps to ensure that their researchers' work and all public information reaches the members of both language groups on the Internet in both English and French.

Other noteworthy initiatives include a review by the Farm Credit Corporation Canada of its partnership agreements (with agricultural equipment distributors, and banking institutions, for example) to determine what measures are required to ensure that its customers continue to receive service in the official language of their choice. The Calgary airport reviewed the extent to which publications made available to the travelling public by air carriers, franchisees and the administration itself are available in French. The results of this evaluation should be made available to other airports as soon as they are known.

Generally speaking, the Treasury Board can be proud of the progress achieved during the fiscal year, especially as the result of the measures introduced through the implementation of the action plans. There is, of course, room for further improvements, not only to correct the shortcomings that persist in certain locations, but also to ensure delivery of services of comparable quality in both official languages and

increase public awareness of the locations of federal offices required to offer bilingual services, and to provide federal employees with more information on the linguistic responsibilities of institutions subject to the *Official Languages Act*.

## Language of work

The *Canadian Charter of Rights and Freedoms* sets out that English and French are the official languages of government institutions in Canada and that they have equality of status and equal rights and privileges. English and French are, in fact, the official languages of work of federal institutions. The *Official Languages Act* defines the specific obligations of these institutions with regard to language of work; they must ensure that their work environments are conducive to the effective use of both official languages and allow their staff to use either language in the specified circumstances.

The approach adopted for language of service differs from that adopted for language of work in that the first is based on the office concept while the second is based on the concept of “designated regions.” The Act specifies that, apart from the NCR, the obligations regarding language of work apply in the regions of Canada<sup>3</sup> designated bilingual for that purpose. These include certain parts of northern and eastern Ontario, the Montreal area, parts of the Eastern Townships, the Gaspé and western Quebec, as well as New Brunswick. Elsewhere in Canada, the federal institutions should ensure that the treatment of the two official languages in the workplace is comparable from one unilingual region to another.

The flexibility of these two approaches is such that, in an office having an obligation to serve the public in the official language of its choice but not located in a region designated as

bilingual, the employees’ language of work is the official language that predominates in that region, subject to the obligation to serve the public in both languages. This is the case, for example, in Vancouver or Rimouski.

In order to create work environments genuinely conducive to the effective use of both official languages, the Act defines the minimum obligations for institutions in designated regions: employees must be provided with internal services (i.e., personal and central services), as well as with regularly and widely used work instruments in both official languages; employees must be supervised in both official languages when the circumstances require it for the creation of conducive work environments; the institution’s senior management must have the capacity to function in both languages; and information technology products and services must be available in both official languages. Thus, the employees concerned may, in certain circumstances, be able to choose their language of work in carrying out their duties.

As in the case of service to the public, monitoring of compliance by federal institutions with their obligations relating to language of work can be carried out based on two approaches: one, the capacity of institutions to meet their obligations as measured by the number of bilingual positions and their language profiles and, two, the results of audits, studies and annual management reports.

With respect to the capacity of the Public Service to provide employees with personal and central services in the official language of their choice, the percentage of incumbents of positions allocated to delivering these services who meet the language requirements of their positions did not change from the previous year. However, this relative stability in actual service capacity conceals some progress: there was an eight-per-cent increase both in the number of positions allocated to internal services and in the number of their incumbents who meet their language profiles. Even more

<sup>3</sup> These regions are listed in Annex B of Treasury Board and Public Service Commission Circular No. 1977-46 of September 30, 1977. A copy can be found in Chapter 5-1 of the “Official Languages” volume of the *Treasury Board Manual*.

significant is the fact that the percentage of incumbents who must meet the language requirements of their positions fell from four to one per cent, indicating a significant decline of 78 per cent in a single year.

This was reflected in the quality of delivery of internal services in both official languages, since both the percentage and the number of positions allocated to internal services that required superior proficiency in the second language increased, by 2 per cent and 26 per cent respectively. By contrast, positions requiring minimal proficiency in the other official language declined by 19 per cent and represented fewer than 5 per cent of all positions allocated to delivery of personal and central services.

The capacity of the Public Service to supervise employees in the official language of their choice also improved over the previous year. Thus, although the total number of bilingual supervisory positions fell by 7 per cent, the percentage of their incumbents who meet the language requirements of their positions increased from 86 per cent to 90 per cent. In other words, 9 out of 10 supervisors meet the language requirements of their positions and are able to supervise their employees at the required level. As in the case of internal services, the number of incumbents who must still meet the language requirements of their positions dropped significantly from 5 per cent to 1 per cent, or a reduction of 78 per cent in a single year.

Progress was also made with respect to the required language proficiency levels. Bilingual supervisory positions requiring superior proficiency in the second language were up by two percentage points and represented 27 per cent of all bilingual supervisory positions as of March 31, 1996. In fact, almost all bilingual supervisory positions require superior or intermediate language proficiency and the percentage of positions still requiring only minimum language proficiency has been stable at one per cent in recent years and is continuing to decline in real terms.

The capacity of senior management in federal institutions to function in both official languages is an important factor for creating work environments conducive to the effective use of both languages, since their leadership, commitment and example are critical in this regard. For this reason, the Treasury Board asked all federal institutions in 1988 to take the required measures to ensure that all members of the Executive group occupying bilingual positions in the NCR and in the designated bilingual regions attain the CBC language profile<sup>4</sup> by March 31, 1998: level "C" for reading, level "B" for writing and level "C" for oral interaction.

As of March 31, 1996, 59 per cent of the members of the Executive group occupying bilingual positions in bilingual regions had attained the CBC<sup>5</sup> level. This is an increase of two per cent over the previous year. Given the slow progress to date, federal institutions will have to make specific efforts to reach the 1998 objective. The TBS will focus on this matter in the coming months, as indicated further on. A number of points should, however, be highlighted.

First, 96 per cent of these members of the Executive group meet the current requirements of the policy in that they have at least a level "B" in each linguistic skill. This is an increase of six per cent from the previous year. Second, it should be pointed out that the problem lies essentially in the area of oral interaction. In fact, 94 per cent of Executive group members have at least level "C" for reading, 98 per cent have level "B" for writing and 59 per cent have level "C" for oral interaction. Thus, language training efforts for members of the Executive group must concentrate on oral interaction and not on overall language proficiency.

<sup>4</sup> See the *Technical notes and definitions* in the appendix for the definition of the language proficiency levels.

<sup>5</sup> Excluding from the total those who have an exemption.

Third, it should be mentioned that a large pool of bilingual senior managers who had attained level “C” for oral interaction as of March 31, 1996 exists among incumbents of unilingual positions. In fact, 47 per cent of senior managers occupying unilingual positions in the NCR and the regions designated bilingual for language-of-work purposes had attained level “C” for oral interaction, while the proportion was 25 per cent in the unilingual regions. In other words, as of March 31, 1996, there was among senior managers occupying unilingual positions a 30-per-cent pool of bilingual employees who had attained level “C” in oral interaction. Finally, it should be pointed out that the Executive group is one of the occupational groups with the greatest movement of staff, which may, to some extent, explain the slow progress noted until now.

Even though 296 members of the Executive group, or almost three times more than last year, were registered in courses focusing on oral interaction in 1995-96, thus demonstrating that federal institutions were taking action to attain the set objective, the TBS is aware that a concerted initiative is required. Consequently, the Secretary of the Treasury Board decided that he will ask federal institutions to report to him next year on the language training plans for each of the affected members of their senior management who did not meet the CBC profile as of March 31, 1996. These reports will provide the TBS with a picture of the language status of senior managers by 1998.

Lastly, as part of a broader initiative, the TBS has requested all federal institutions to report to it on the follow-up they have made to the general recommendations of the Commissioner of Official Languages in the study he published in 1995 on language of work in the NCR. This survey, which was conducted in a dozen federal institutions, reported a number of problems, including the capacity of senior management to function in both official languages, the availability of training courses and regularly and widely used automated systems and their

documentation in French, and the use of both official languages in the workplace, particularly in meetings.

These reports provide an overview of the measures taken to improve the situation, not only in the case of senior management, but also with respect to other aspects of language of work that require improvement. When supplemented by the results of TBS audits and internal audits conducted by federal institutions, they should make it possible to improve the situation further. More details on this matter can be found in Chapter 3.

During the past year, significant progress was made, particularly in improving the capacity of institutions to create bilingual work environments. Further progress must be made and the Secretariat will continue to work with federal institutions to help them meet their language of work obligations.

## Equitable participation

Under the *Official Languages Act*, the federal government is committed to ensuring that English- and French-speaking Canadians have equal employment and advancement opportunities in federal institutions and that the composition of the workforce tends to reflect the presence in Canada of the two official-language communities, while taking into account the mandates of federal institutions, the public they serve and the location of their offices. For this purpose, federal institutions must ensure that jobs are open to all Canadians whether they be English-speaking or French-speaking.

As indicated in Table 12, participation of Anglophones and Francophones in the Public Service, which does not include organizations for which the Treasury Board is not the employer, remained relatively stable in comparison to the previous year, and generally reflects the presence in Canada of the two language groups. The Francophone participation rate was 29 per cent or slightly higher than the proportion of Francophones in the Canadian

population according to 1991 decennial Census data. The relative increase in Francophones in the Public Service in 1996 is due to staff cuts. This may be explained by the fact that, since the Anglophones in the Public Service are on the whole older than the Francophones, they took advantage of their right to retire in greater numbers.

There were small variations in participation in the Public Service by region in 1996 (Table 12). Although the participation rates of the two language groups remained the same in western and northern Canada, Ontario and Quebec, Francophone participation increased somewhat in the NCR (plus one per cent), New Brunswick (plus 2 per cent) and the other Atlantic provinces (plus one per cent). However, the Anglophone participation rate in the federal Public Service in Quebec, five per cent, continues to be significantly lower than this community's presence in the province.

There is no doubt that the current context of workforce reductions is not conducive to Public Service hiring and thus to increasing the Anglophone participation rate in Quebec. Nevertheless, the Public Service Commission launched an initiative in the spring of 1996 that goes beyond purely statistical studies to investigate and examine the major causes of this low participation of Anglophones in the federal Public Service in Quebec. The TBS is supporting this project, which it is following with interest. Representatives of the Anglophone minority associations will participate in the project from its earliest stages.

In the case of participation by occupational category in the Public Service, a small increase in Francophone participation in all categories was noted (Table 13), mainly for the reasons referred to above, namely, that the early retirement programs affected Anglophones to a greater degree. It was also noted that Francophone participation increased slightly in the occupational groups in which it had been inadequate, specifically in the Management

group and in the Scientific and Professional, Technical and Operational categories.

In Crown corporations, the RCMP, agencies for which the Treasury Board is not the employer and private organizations subject to the Act, participation rates remained practically unchanged (tables 14 and 15). At the national level, Anglophone and Francophone participation was 73 per cent and 25 per cent respectively (2 per cent were "unknown"). By region, only western and northern Canada and outside Canada recorded a difference from the previous year, with the Anglophone participation rate declining by one per cent in the former case and increasing by one per cent in the latter. By occupational category, there was an increase of one per cent in the Anglophone participation rate in the Management category (Table 15).

In the Canadian Regular Forces,<sup>6</sup> Anglophone and Francophone participation rates remained stable at 72 per cent and 28 per cent respectively. However, there were slight differences in participation by region. The Francophone participation rate decreased by one per cent in Ontario and two per cent in New Brunswick, while the Anglophone participation rate fell by one per cent in the NCR and Quebec. In all probability, these variations are essentially the results of personnel cuts in the Canadian Regular Forces. Similar variations were observed in participation by rank: the Francophone participation rate among generals fell by one per cent, while it increased by one per cent among officers.

Among all organizations subject to the *Official Languages Act*, relative stability in Anglophone and Francophone participation was noted. At 72 per cent and 27 per cent respectively (1 per cent was "unknown"), these rates generally continue to reflect the presence in Canada of the two official-language communities (Table 18).

<sup>6</sup> Numbers for the Reserve are excluded from Armed Forces data.



## Support measures

To help them implement their official languages programs and effectively meet their language obligations, departments and agencies can use various support mechanisms. Two of these mechanisms, translation and language training, are, in part, managed centrally by common service organizations. The third mechanism, the bilingualism bonus, is managed by federal institutions themselves, in accordance with the parameters negotiated with employee representatives. It should be explained that, in general, only the institutions for which the Treasury Board is the employer are obliged to use these mechanisms, within the limits of the policies. The other organizations subject to the *Official Languages Act* are not required to use them and have the necessary latitude to implement any support measures they consider appropriate.

### Language training

The goal of language training is to enable employees of federal institutions to acquire the second-language training they need to meet the language requirements of positions designated bilingual and thus, given the duties of their positions, provide the public and employees with the services they need in the official language of their choice.

Departments and agencies can obtain the language training services they need from Language Training Canada (LTC) or from suppliers listed in the Public Works and Government Services Canada directory. It should be mentioned that LTC has the necessary funds to provide required language training services to meet the statutory requirements<sup>7</sup> of departments and agencies as well as the government's general official-languages needs. The federal institutions concerned must cover the cost of all other language training they wish to provide to their employees.

As indicated in Table 19, some 1.1 million hours of language training were given in 1995-96, or 400,000 fewer hours than in 1994-95. Staff cuts, the decrease in hiring and the existence of a relatively large pool of bilingual employees in the Public Service account for the downward trend noted for some years in the number of hours of language training given.

With the intent of simplifying and making more flexible the administration of language training as well as increasing federal institutions' room to manoeuvre, the Treasury Board plans to change the language training policy. Under the proposed changes, as of June 1, 1996, incumbents of bilingual positions will have a standard exemption period of 24 months to meet the language requirements of their positions in the case of a non-imperative staffing action. Consequently, the maximum number of language training hours each employee is allowed during his or her career, which could be reduced on each new appointment to a bilingual position, would be abolished. Instead, Public Service employees would have a maximum number of training hours to meet the language profile of their position on each new appointment, provided, of course, that they have the necessary aptitudes to take this training and do not already meet the language requirements of their position. Accordingly, departments and agencies would no longer have to supply data to a central information system on the number of hours of language training given to each employee during his or her career. The Language Training Module will, therefore, be eliminated during the next fiscal year, a measure which should also enable the TBS to save \$150,000 a year in administration costs.

<sup>7</sup> This refers to language training that enables employees to reach the language proficiency levels for positions designated bilingual by federal institutions to meet their obligations under the *Official Languages Act*.

## Translation

Translation allows federal institutions to provide the public and their employees with information in the official language of their choice when they are so entitled. As specified by the Treasury Board policy on this matter, translation is only one of the ways to produce texts in both official languages and it is the responsibility of federal institutions to select the most effective production method in light of the purpose and intended recipient of each text.

The Translation Bureau (TB) was the federal government's sole supplier of translation services for many years. Concerned once again with simplifying administration of this support mechanism and increasing the room to manoeuvre of departments and agencies, the Treasury Board decided to make use of TB services optional as of April 1, 1995, and to allow federal institutions to select and use different suppliers of official languages, foreign languages and Aboriginal languages translation services. For this purpose, the TB was made into a Special Operating Agency, working on a cost-recovery basis. The system of word envelopes used until then to manage translation demand was eliminated and the corresponding funds transferred to departments and agencies.

As a result of this change in status, the official-language translation services the TB provided to departments and agencies became optional; the other Bureau services, such as interpretation and terminology as well as the translation and interpretation services provided to parliamentary institutions continue to be mandatory common services. However, the TB remains the only federal agency to provide the federal government with translation services and is the sole employer of translators within the Public Service.

The current year is the first year of operation of this new system. As shown in Table 21, departments and agencies used the funds transferred to them to obtain the translation services they

needed. Overall, their needs were about the same as those of the previous year. In view of the elimination of the system of word envelopes, in future, only translation costs will be reported on. These were \$129.2 million in 1995-96, which represents an increase of \$1.6 million from the previous year that is essentially attributable to the group of institutions that include the Crown corporations, parliamentary institutions, Canadian Forces and other agencies.

During the year prior to the introduction of the new system for translation, the TBS conducted an audit of use of translation services among a sample of federal institutions in the NCR, Winnipeg and Halifax. The purpose of the audit was to establish whether departments and agencies had adequate policies, systems and controls to manage translation and to avoid needless translation of texts. The audit established that, in general, the institutions concerned had the required mechanisms and that the measures in place permitted these institutions to avoid unnecessary translation. However, the audit recommended that the institutions update their policies on production of texts in both official languages and establish formal mechanisms to approve and monitor the appropriateness of translation requests.

## Bilingualism bonus

The bilingualism bonus is a fixed annual sum of \$800, paid over 12 months to eligible employees only (i.e., those considered employees within the meaning of the *Public Service Staff Relations Act* who are in a designated bilingual position and meet its language requirements). The bonus forms part of collective agreements with the unions. Members of the Executive group and certain other clearly identified groups, such as translators and stenographers, are not eligible for the bonus.

As of March 31, 1996, 59,058 federal employees were receiving the bilingualism bonus. The total cost of the bonus to departments and

agencies for which the Treasury Board is the employer was \$53.6 million. This is a decrease of \$33 million compared with the previous year when, as indicated in the 1994-95 annual report, retroactive as well as ongoing payments to eligible members of the RCMP resulted in a large increase in bonus costs.

## Program management and costs

The management of the Official Languages Program in federal institutions is carried out mainly by people responsible for official languages who act as contact points between the Secretariat and the organizations to which they belong. These people provide information to managers about their official-languages responsibilities. Through them, the Secretariat staff conducts consultations and forwards requests for information and clarification. This network for ongoing information exchange and communication makes up what is called the official-languages community.

The Position and Classification Information System (PCIS) and the Official Languages Information System (OLIS II) are supplied respectively with data from departments and agencies and the other organizations subject to the *Official Languages Act*. Information requested by the Secretariat to describe the status of official languages in federal institutions, such as the number of bilingual positions, the linguistic status of their incumbents, the pool of bilingual employees and participation rates of Anglophones and Francophones, may be obtained from these systems. Most of the data presented in the tables in the Appendix comes from information collected through PCIS and OLIS.

In 1995-96, the costs of the Official Languages Program in departments and agencies, Crown corporations, parliamentary institutions and the Canadian Forces totalled \$264.9 million, compared to \$318.7 million in the previous year, representing a decrease of \$53.8 million or almost 17 per cent from the previous fiscal year. In constant 1981-82 dollars, the decrease is 18.5 per cent (Table 20). After the brief swing in the previous year, when costs increased by 13 per cent in current dollars,<sup>8</sup> the costs of the Official Languages Program in federal institutions resumed their downward trend in 1995-96. Table 20 sets out the changes in the Program costs since 1981-82, while Table 21 provides a breakdown in 1995-96 of the main categories of expenditures. These are the clearly identifiable and significant costs directly attributable to the implementation of the Program in federal institutions.

As indicated by Table 21, with the exception of translation, all the cost components of the Official Languages Program were lower in 1995-96. The overall increase in translation costs is essentially the result of fluctuations in translation volume. More specifically, a change in the allocation of translation costs can be noted. The increase in the translation expenses of departments and agencies for official-languages translation was offset by an almost identical reduction in the Translation Bureau's translation and interpretation costs. This is explained by the fact that, under the new translation system, the departments became fully responsible for managing translation. On the other hand, in the group of organizations made up of Crown corporations, parliamentary institutions, the Canadian Forces and the other agencies, whose translation system was not changed, there was a cost increase of about \$2 million.

<sup>8</sup> This increase was the result of retroactive and ongoing bilingualism bonus payments to eligible RCMP members.

The costs of language training fell by \$16.2 million, with the largest decrease being observed in Crown corporations, parliamentary institutions, the Canadian Forces, and the other agencies. The lower costs associated with language training are essentially the result of a reduction in training needs because of the existence of a large pool of bilingual employees, the decrease in staffing, and budgetary restrictions.

In the case of the bilingualism bonus, costs decreased by \$33 million to \$53.6 million as of March 31, 1996. As stated above, the reduction is largely attributable to a non-recurring

retroactive payment to eligible members of the RCMP in 1994-95 for payment of the bilingualism bonus, as a result of the Federal Court of Appeal's decision in the Gingras case.

Finally, the costs of administering and implementing the Program in federal institutions dropped by \$6.2 million in 1995-96, mainly as the result of measures to streamline and simplify the Program administration and of budget cuts.

## **Chapter 3**

# **Special Report on Language of Work**

This chapter focuses on the actions taken by federal institutions in response to the recommendations made by the Commissioner of Official Languages in his recent study of language of work in the NCR.<sup>1</sup>

## Background

In May 1995, the Commissioner of Official Languages published the results of a study of language of work that focused on a dozen federal institutions in the NCR. The study, which was conducted in 1993 and 1994 as surveys of the employees of these institutions, revealed that French was “under-utilized in virtually every aspect of working life.” The Commissioner sent a number of recommendations to the federal institutions concerned relating specifically to the aspects of language of work that each should improve. In the summary of his report, the Commissioner also set out four general recommendations to the government, with the goal of improving the work environment in all federal institutions.

These recommendations were as follows:

- **Use of both official languages in the workplace**

“Take the measures necessary to ensure that deputy heads of all federal institutions in the National Capital Region promote the use of both official languages in the workplace, notably by:

- a) encouraging employees to write in their preferred official language by agreeing to accept work forwarded to them in the official language of the author, assuring writers that they will not have to translate their texts or prepare summaries in the other language; and
- b) beginning every meeting by reminding participants of their right to use their own official language.”

<sup>1</sup> *Audit Report on Language of Work in the National Capital Region*, May 1995, Office of the Commissioner of Official Languages.

- **Linguistic capacity of senior executives**

“In keeping with its commitment, redouble efforts to ensure that by 1998 senior executives in the Public Service meet the language requirements of their positions.”

- **Training courses in French**

“Take the measures necessary to ensure that deputy heads of all federal institutions guarantee their French-speaking staff working in the National Capital Region that they will be able to obtain training in French, if necessary by combining participants from different institutions.”

- **Automated systems**

“Ensure that computer software and related reference material which is in general use is available in both official languages.”

As noted in Chapter 1, OLEEB asked all federal institutions to which the general recommendations of the Commissioner of Official Languages (COL) applied to take the measures required to respond to these recommendations, both in the NCR and in the regions designated bilingual for the purposes of language of work. On his side, the Commissioner will follow up during 1996 on the specific recommendations targetting the institutions included in his study.

## Action on the recommendations

This section contains an account of the measures taken by federal institutions to follow up on the Commissioner of Official Languages’ recommendations regarding language of work. This follow-up represents, in fact, the first phase in improving the language-of-work situation. In the second phase, it will be necessary to ensure that the measures undertaken really have given the results expected. That is precisely what the Treasury Board will concentrate on in the coming months through an increase in its monitoring and auditing activities with respect to language of work in federal institutions.

The federal institutions concerned took various kinds of measures in response to the general recommendations of the COL concerning language of work.<sup>2</sup> This section contains a report on the measures taken regarding the recommendations as a whole, and also reports on the specific measures relating to each recommendation. It should be pointed out that these measures apply both to the NCR and to the regions designated bilingual for the purposes of language of work, and that they may be directly related to the recommendations or may address the language-of-work situation in the institution more generally. Lastly, the paragraphs below discuss all the measures taken by federal institutions, not certain specific measures.

### **The recommendations as a whole**

After considering the recommendations of the Commissioner of Official Languages concerning language of work, almost all federal institutions agreed that measures were required to correct the situation. However, a minority of them considered that it was not appropriate to develop a comprehensive action plan, either because their situation was generally satisfactory, or because they were going through a period of significant organizational change (such as the winding-up or major restructuring of the organization in the near future). However, this did not prevent them from taking specific measures on one or more of the recommendations.

Some institutions, aware of their shortcomings, decided to establish action plans relating specifically to the recommendations or to language of work in general, or integrating their action into a more general official-languages strategy. They are planning to periodically measure the implementation of these initiatives and their results. Others decided to monitor the application of their official-languages policy more vigorously, update the policy or develop a policy dealing solely with language of work.

Several institutions took the step of including measures in response to the recommendations in their official-languages agreement with the Treasury Board, or are considering doing so in the near future. They will, therefore, have to report on the results attained in their annual management report. Others preferred to conduct a thorough and up-to-date analysis of the language-of-work situation in their organizations before deciding on the specific measures to take. They, therefore, conducted or planned to conduct a survey, study or review of activities and practices associated with official languages. Some of them decided to recruit a consultant or initiate a periodic self-assessment of the language-of-work situation in bilingual regions.

A number of institutions focused their efforts on activities to inform both employees and managers. Some of these initiatives related to the recommendations themselves and the measures to be implemented as a specific response, and others covered language of work as a whole and, particularly, employees' rights and the institution's responsibilities. These activities took the form of a memorandum, a communiqué, a statement of principles, a video, an article on management's role in creating a bilingual workplace, an information session or a meeting with managers, and were also designed to provide advice on the measures to implement.

Lastly, in various institutions emphasis was placed on the accountability of senior managers. Thus, in certain locations, part of their performance evaluation relates specifically to official languages and to the results obtained in this area. Elsewhere, senior management has requested periodic reports on progress attained with respect to language of work or the action taken in response to the Commissioner's recommendations. In several institutions, the recommendations were put on the agenda of management committees and the type of follow-up required was discussed. In

<sup>2</sup> The recommendations are not repeated word for word in this section. Instead, they are referred to in terms of the general heading under which they appear on the first page of Chapter 3.

some cases, senior managers were reminded of their responsibilities and the institution's obligations with regard to official languages and the importance of their commitment in this regard. Elsewhere, senior managers were assigned the task of taking action in response to the recommendations, or various branches were asked to submit official-languages action plans during the annual activity planning exercise.

With very few exceptions, all federal institutions took into account the recommendations of the Commissioner of Official Languages and decided on the general initiatives and measures required in light of their analysis. These initiatives and measures varied from one institution to the next, given the specific context in which each operates. As indicated in the paragraphs below, the majority of institutions also took action on one or more of the recommendations concerning language of work.

### **Use of both official languages in the workplace**

Senior management of several institutions repeated in both written and verbal communications its commitment with respect to official languages, in general, and the right of employees to use the language of their choice in their workplace, in particular, or plans to do so soon. In many cases, those responsible for official languages met with managers and their employees to remind them of their responsibilities and rights with regard to language of work. Federal institutions also took various other measures to promote the use of both official languages in the workplace, particularly with regard to the language used for written communications and the language used in meetings.

A large number of federal institutions have emphasized activities to inform employees. They have distributed various pamphlets, including the joint COL-TBS publication on language of work entitled *English and French in*

*the Workplace – What federal employees need to know/Le français et l'anglais au travail – ce que les employés fédéraux doivent savoir*. Some have also put in place measures aimed specifically at new employees: information sessions on employees' rights and the institution's obligations, inclusion of official-languages information in information kits for new employees, revision of the employee handbook, meetings with the official-languages coordinator. Some initiatives targetted all staff in designated bilingual regions. Employees were reminded of their rights and also encouraged to work in the official language of their choice; information sessions were organized or planned in all the offices concerned; and internal bulletin and electronic-mail systems were used to distribute information on creating work environments conducive to using both official languages.

Employees were also encouraged verbally and in writing by their managers and senior management to write in the official language of their choice. In some institutions, specific measures were taken for this purpose, for example, by asking translation coordinators to enforce their controls more strictly, by encouraging employees to prepare draft documents in their preferred language and authorizing translation of these documents only after their approval, by making available to employees various writing tools such as glossaries, writing and revision assistance services, terminology banks or writing courses, by revising directives on correspondence and translation or by issuing reminders to managers.

Some institutions reminded their managers that they must take into account their employees' language preferences when assigning work, as much as is possible in light of the needs of the unit. In other institutions, measures have been implemented to ensure that employees are evaluated in the official language of their choice and that they indicate their choice of language when they start work in the institution or in a new unit.



With regard to the language of meetings, many institutions have installed notices or the official-languages symbol in meeting rooms to remind their employees that they can speak in the language of their choice. Reminders have been made to managers, and the TBS brochures on chairing and holding meetings have been made available to the staff of certain institutions. In many organizations, meetings begin with an invitation to the participants to express themselves in the language of their choice, particularly during meetings of senior management with all staff. This invitation is sometimes also repeated in the agenda and the minutes, and supervisors are urged to use both official languages themselves to encourage employees to express themselves in their preferred language.

Generally speaking, federal institutions report that they have implemented several of these measures simultaneously. Management committees in various institutions regularly include official languages and language of work on the agenda of their meetings, and senior management has indicated that it intends to be kept informed of progress in implementing the recommendations of the COL. Finally, some institutions have conducted or are planning to conduct surveys of language of work, and one of them has set up a committee on language of work.

### **Linguistic capacity of senior executives<sup>3</sup>**

A significant proportion<sup>4</sup> of members of the Executive group in bilingual positions in bilingual regions still do not meet the linguistic profile that they must attain by March 31, 1998.

<sup>3</sup> It should be mentioned that senior managers of Crown corporations and private organizations are not subject to the Treasury Board policy and are, therefore, not required to reach the CBC level; however, they must be able to function in both official languages.

<sup>4</sup> Statistics on the percentage of senior managers who met the CBC profile or the current requirements of the Treasury Board policy as of March 31, 1996 can be found in Chapter 2.

Federal institutions have taken two types of measures to address this: training measures and accountability measures.

With respect to training, in several institutions Executive group members who do not meet the target linguistic profile are taking training courses. In a substantial number of institutions, training plans have been or will be established for the managers concerned. In some other institutions, managers have been informed of language training opportunities. Special measures to accommodate Executive group members have also been implemented, for example off-site training or organization of special courses.

Reminders have been or will be sent to the senior managers concerned by the head of the institution, to remind them of the importance of creating work environments conducive to the use of both official languages. In several institutions, a working group has been set up to ensure that action is taken on the recommendation, or a decision on the action to be taken has been made at a management committee meeting. Human resources officers have also been made aware of the importance of the objective. In some institutions, the linguistic profiles of Executive group positions have been raised.

Generally speaking, senior officials of federal institutions are aware of the priority to be given to attaining this objective. In many cases, the issue has been put on the agenda of management committees; and deputy heads have made a point of satisfying themselves that the objective will be attained within the specified time limits. As indicated in Chapter 2, the TBS is planning to ask federal institutions during the next year to report to it on training plans for Executive group members who did not meet the CBC profile as of March 31, 1996. This initiative should permit completion of the follow-up on this recommendation of the Commissioner.

## Training courses in French

In several federal institutions, senior management has personally assumed responsibility for assuring the follow-up on this recommendation. Senior managers have been given the task of ensuring that there is no departure from the principle of availability of training in both official languages. Elsewhere, a periodic report must be submitted to the deputy head on the courses available in each language. In other institutions, the recommendation was discussed by the management committee, which will take the required action, and reminders will be issued to the managers concerned.

A significant number of institutions have implemented measures to provide employees with access to all training courses in the official language of their choice and to ensure that new courses are developed in both languages. These measures relate both to internal training activities and to courses provided by outside organizations. Thus, in the case of activities arranged by third parties, the institution specifies in the contract that the courses must be provided in both languages. For some workshops, simultaneous interpretation services are also available if the invited speaker is not bilingual.

Among other measures taken, it is appropriate to mention review of training and development plans and course schedules to ensure that members of both language groups have access to courses in the official language of their choice; diversification and expansion of job training sources; and a reduction in the minimum number of registrations required to offer a course. A number of small institutions have also reviewed the possibility of combining participants in workshops and seminars available in French when the number of registrations for each institution is insufficient; some institutions have undertaken joint efforts in this regard.

Various institutions have intensified their activities to inform employees of the availability of courses in French, thus encouraging employees to exercise their right to receive their training in the official language of their choice. In some locations, training in both official languages has been integrated into the institution's policies, and elsewhere it has been included in the official-languages agreements. Lastly, special attention has been given to computer training. A number of institutions have taken steps to ensure that training in the use of new computer software programs was available in both official languages, while another institution has engaged the full-time services of a bilingual training officer in order to ensure that its employees are offered courses in the official language of their choice.

Overall, measures have thus been taken to correct where necessary the shortcomings noted by the Commissioner of Official Languages with regard to availability of training courses in French.

## Automated systems

A substantial number of institutions reported that they have not had to take measures on this recommendation because of the satisfactory situation in their organization or, in one case, the impending wind-up of the organization. On the other hand, a number of institutions implemented follow-up measures targeting their managers, and specifically those responsible for information technology, in the form of reminders or information that often originated directly from senior management or were based on its instructions.

Several institutions conducted surveys, studies or internal audits to evaluate the situation and take an adequate follow-up to the recommendation. Others implemented measures to ensure that all software reference material is available

in both official languages, or to make employees more aware of the availability of French-language software. *The Guide to Internet Use in the Federal Government* was distributed again in some institutions. Various measures were also taken to see to it that electronic-mail services and the Internet are accessible and can be used in both official languages. Some institutions implemented new control measures to ensure that help services are of comparable quality in both languages.

Other noteworthy measures include initiatives relating to procurement of automated systems and their reference material. A number of institutions took steps either to review their procurement plans or to ensure that contracts for procurement and development of automated information systems in fact contained clauses on availability of software and related reference material in both official languages. Some other institutions confirmed that their procurement policy included provisions on preliminary analysis of the language requirements of the various branches.

Some institutions decided to check that software could be used in both official languages. In others, reminders were issued that it is essential in any computer procurement project to describe the measures proposed to ensure compliance with the official-languages policy. Lastly, some institutions prepared a list of all reference material that is not yet bilingual in order to take the required measures to acquire it in the other language.

In general, federal institutions sought, where necessary, to take appropriate action to respond in concrete terms to the Commissioner's recommendation and to ensure that existing measures complied with the Treasury Board Official Languages Policy.

## Conclusion

Overall, federal institutions took action in response to the recommendations of the Commissioner of Official Languages. In some cases and for certain recommendations, it was not necessary to implement specific measures, since the situation was satisfactory. In most cases, however, some initiatives were required, and the institutions in question took steps to implement the appropriate measures, which mainly addressed the specific sources of the Commissioner's concern. In various places, senior management itself was the source of the follow-up initiatives, thus demonstrating the importance senior managers give to improving the language-of-work situation.

The TBS will ensure that official languages agreements concluded by federal institutions include language-of-work commitments and that Annual Management Reports include information on progress and results achieved.

The very nature of the actions taken by federal institutions in response to the recommendations of the Commissioner of Official Languages, the diversity of the measures they have taken or are planning to take and, above all, their unanimous willingness to report on current and future initiatives, show that they are aware of the importance of their role in creating work environments genuinely conducive to use of both official languages. It is not enough to invite employees to use the official language of their choice; conditions favouring use of both languages must also be created. That is what federal institutions have undertaken to do to significantly improve the language-of-work situation in their organizations. The Treasury Board encourages them to redouble their efforts for this purpose. For its part, it will do everything possible to help them attain this objective and to ensure that appropriate measures are put into place wherever improvements are required.

## Conclusion

In 1995-96, the situation of official languages in federal institutions continued to progress and evolve favourably. Gains were made in all aspects and, although not always dramatic, it resulted in a definite improvement in the situation. Furthermore, implementation of the Program was more economical, with costs resuming their downward trend. The federal Public Service continues to have available a large pool of bilingual employees and its capacity to deliver services in both official languages improved in both quantitative and qualitative terms.

In the area of service to the public, it was noted, on the basis of the evaluation carried out by federal institutions at the request of the Treasury Board and the action plans they submitted, that almost all federal offices and service points required to serve the public in the official language of its choice are able to meet their language obligations. While it reflects the progress made during the year, the situation remains unequal in some locations. The audit of service to the public conducted by the TBS has determined so far that managers are well aware of their obligations to members of the official-language minority communities, and provides reason to think that further improvements will be made as federal institutions adjust to the changes brought about by Program Review.

With respect to language of work, the follow-up on the general recommendations made in a study by the Commissioner of Official Languages has demonstrated that, after reviewing the recommendations, almost all federal institutions have taken or plan to take measures to implement them and to ensure their application. Some imperfections remain in the general picture, specifically with regard to the capacity of senior management to function in both official languages. These problems should be

reduced as federal institutions put the required measures in place. The Treasury Board plans to ensure a follow-up to the implementation of measures taken by institutions, specifically in the official-languages agreements and the Annual Management Reports. In this respect, monitoring activities are vital, since they make it possible to identify aspects of language of work requiring improvement and on which federal institutions can take action.

In the area of equitable participation, the achievements of recent years were consolidated. Although in all the organizations subject to the *Official Languages Act*, Anglophone and Francophone participation generally reflect the presence in Canada of the two official-language communities, some imbalances need correction, including the low participation of Anglophones in the federal Public Service in Quebec. The study being conducted in Quebec by the Public Service Commission with the cooperation of the TBS is a step in the right direction.

Ongoing measures by federal institutions, and the initiatives to monitor, coordinate and facilitate implementation of the Program by the Treasury Board, should bring further improvements to the situation. Although there will be no major transformations overnight, progress will continue to be achieved and consolidated day to day and year by year.

In this way, institutional bilingualism will be reinforced slowly but surely. The efforts of our institutions will continue to be added to the picture of linguistic duality; they are contributing to the building of the just and equitable society that we have chosen since Confederation. Linguistic duality, which is a testimony to our common history and heritage, will continue to unify our country in the interest and for the benefit of future generations of Canadians from both official-language communities.

## Statistical appendix

The following pages contain a series of tables that provide a quantitative overview of the situation in federal institutions as well as a description of the data and their sources.

Explanatory notes and definitions are provided at the end of this section to facilitate interpretation of the tables.

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## Information sources

In previous years, most of the data in the tables in the Appendix were drawn from the Official Languages Information System (OLIS) to which federal institutions supplied data. This system had two components. The first (OLIS) contained data on federal institutions for which the Treasury Board is the employer — that is, the departments and agencies listed in Schedule 1, Part 1 of the *Public Service Staff Relations Act* (PSSRA). The second (OLIS II) included data on institutions for which the Treasury Board is not the employer. The latter component does not include data for the years prior to 1991.

On April 1, 1995, the first component, OLIS, was replaced by the Position and Classification Information System (PCIS), to which data are directly supplied by departments and, thus, the maintenance of parallel systems is not required, as the PCIS gathers together data on official languages as well as on positions and classification. Previously, records containing incomplete or conflicting information were eliminated from OLIS. With PCIS, all the Public Service population is covered, which explains the addition of a new line “Incomplete records” to cover records that include incomplete data.

It should be mentioned that during the year preceding the implementation of PCIS, departments focused their efforts on updating their internal systems data. Moreover, during the first year of operation of PCIS, departments had to adapt and modify the programming for their data processing. This explains why some data are still missing; however, the quality of the data should continue to improve as departments become more used to the system.

In general, the reference year for the data in the statistical tables corresponds to the government’s fiscal year which runs from April 1 of one calendar year to March 31 of the following calendar year. The notes accompanying each table provide details on sources, dates, and other items.

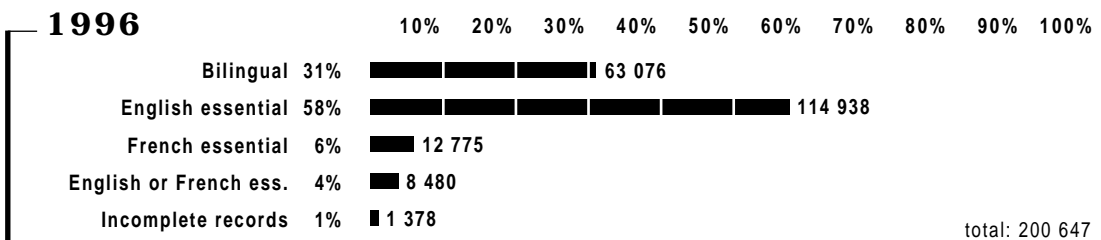
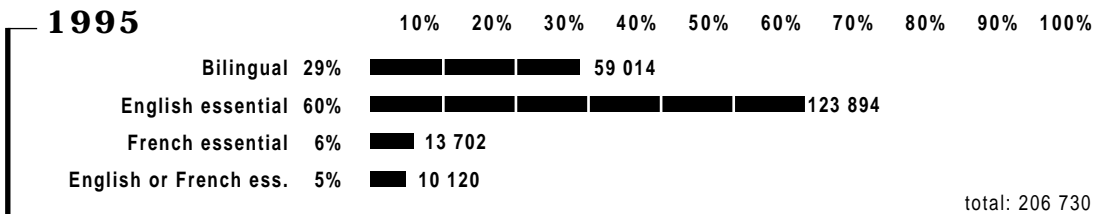
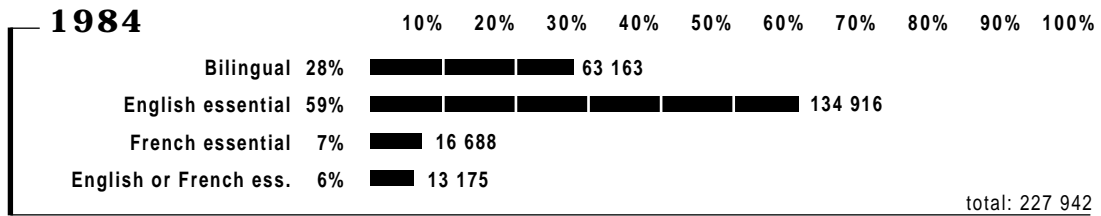
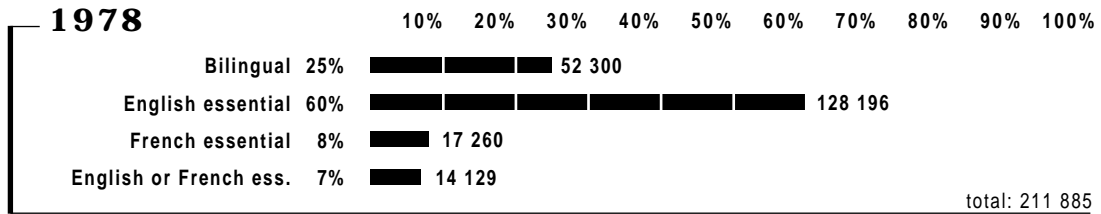
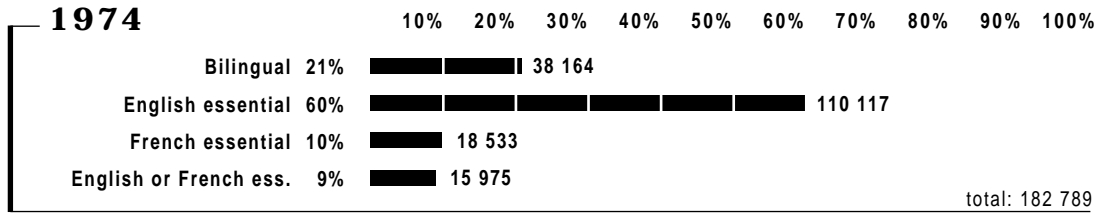
## Interpretation and validity of the data

The interpretation of data presented in the tables is subject to some qualifications. While the data give an overview of all federal institutions, they should not be considered in isolation. The impact on the data of a number of variables, such as the diversity of the mandates of each institution, the clientele served and the location of various offices, must all be taken into account. For example, although the participation of Francophones in western and northern Canada represent only two per cent of employees in this region, it does not mean that Francophones are underrepresented in the Public Service in this region. Their participation depends, among other things, on the location of the offices and the public they are serving. Moreover, because of the diversity of federal government activities, it is difficult to isolate each variable and to weigh it to make it valid for all institutions.

Historical data are not necessarily comparable due to the adjustments made over the years, for example, to take into account the creation, transformation or elimination of some departments and agencies or of the changes made by the Public Service Commission to its language proficiency assessments. Furthermore, several changes were made to the population selected and to the data sources. Finally, some data were regrouped in order to better reflect the existence of two different populations: one for which the Treasury Board is the employer and one for which the Treasury Board is not the employer.

**Table 1**

**Language requirements of positions in the Public Service**

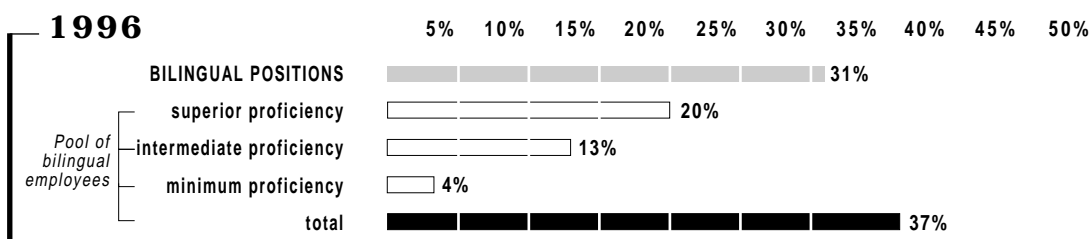
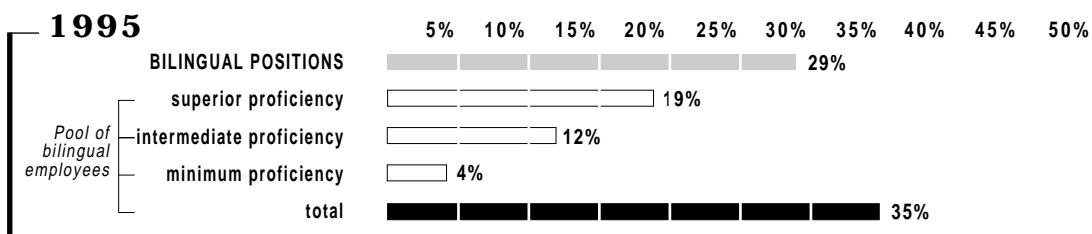
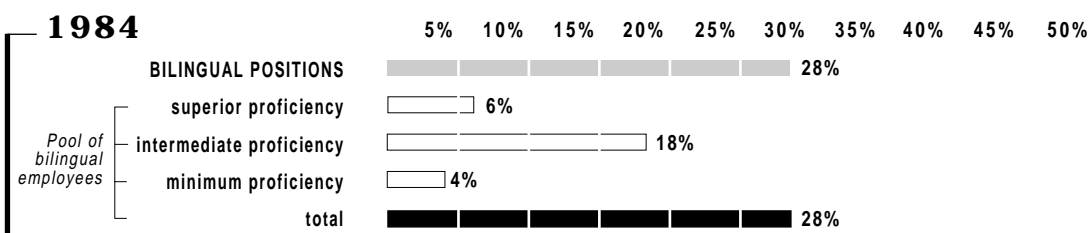
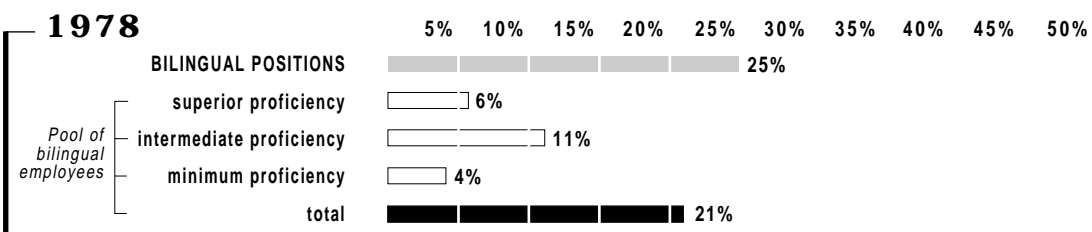


PCIS and OLIS data



**Table 2**

**Bilingual positions  
and pool of bilingual employees  
in the Public Service**

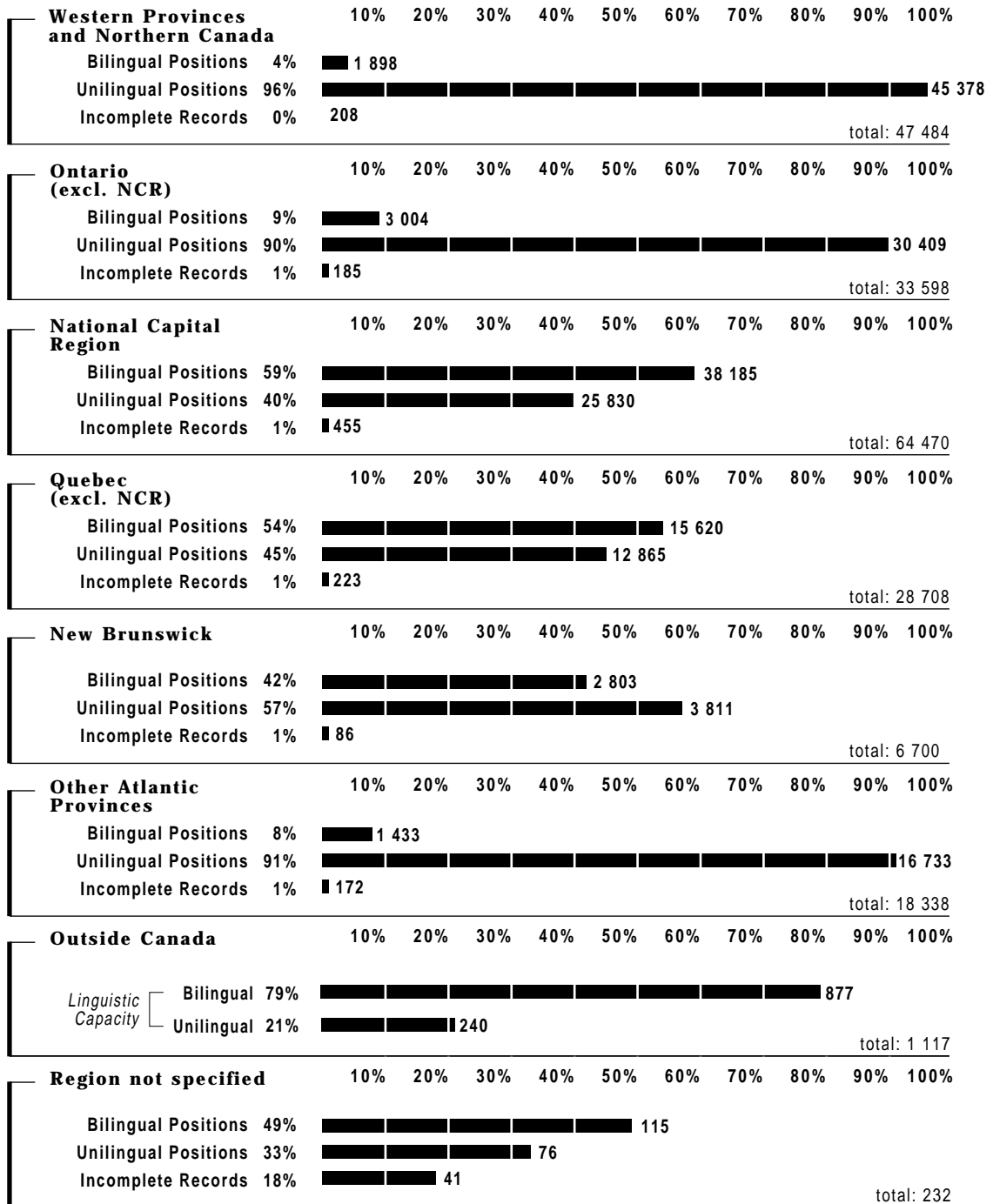


PCIS and OLIS data

**Table 3**

**Language requirements of positions in the Public Service**

by region  
March 31, 1996

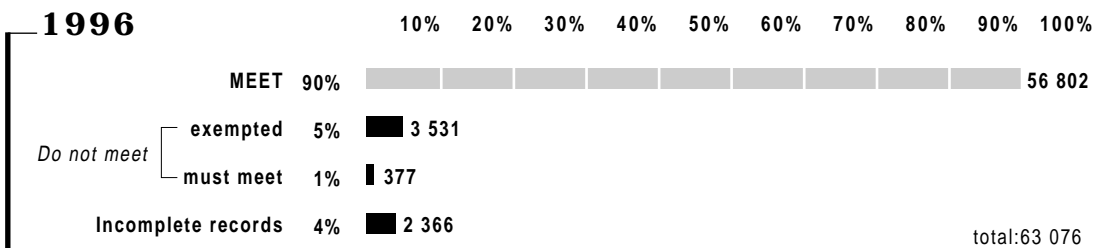
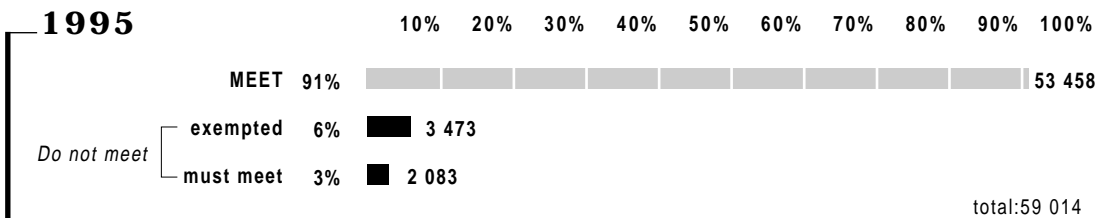
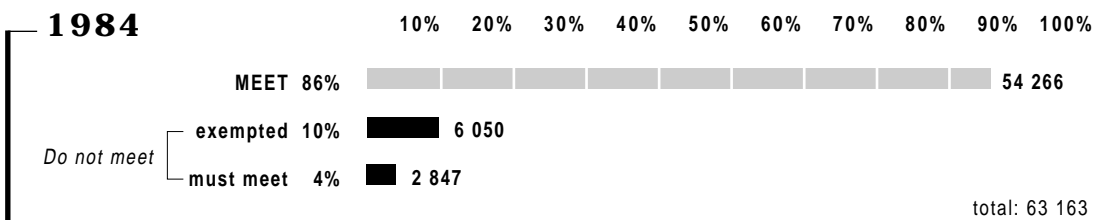
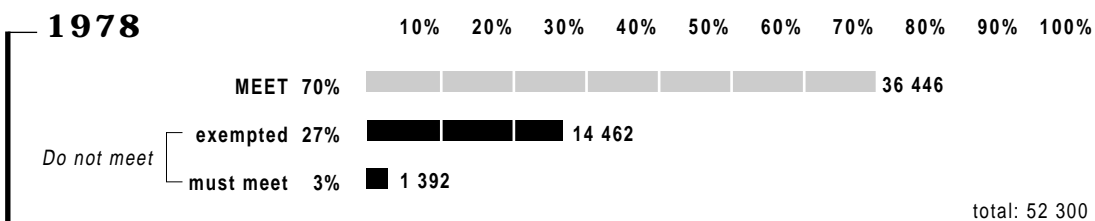


PCIS and OLIS data

**Table 4**

**Bilingual positions in the Public Service**

Linguistic status of incumbents

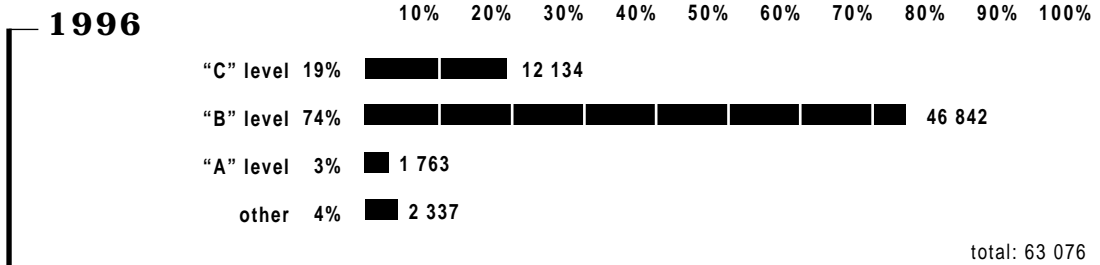
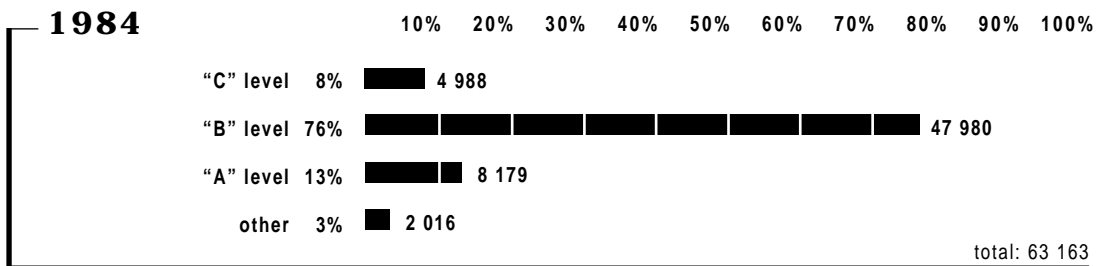
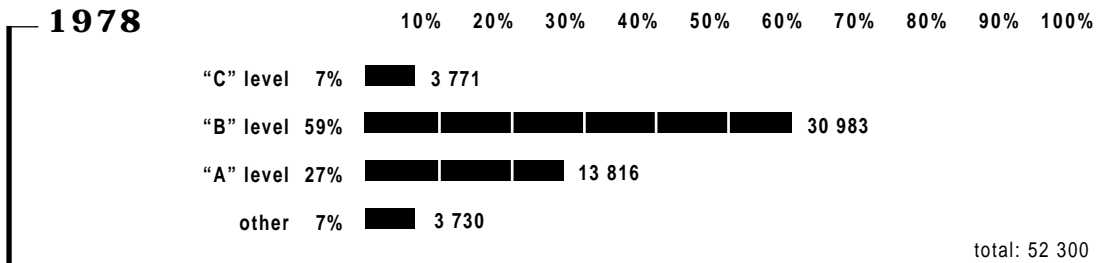


PCIS and OLIS data

**Table 5**

**Bilingual positions in the Public Service**

Second-language level requirements



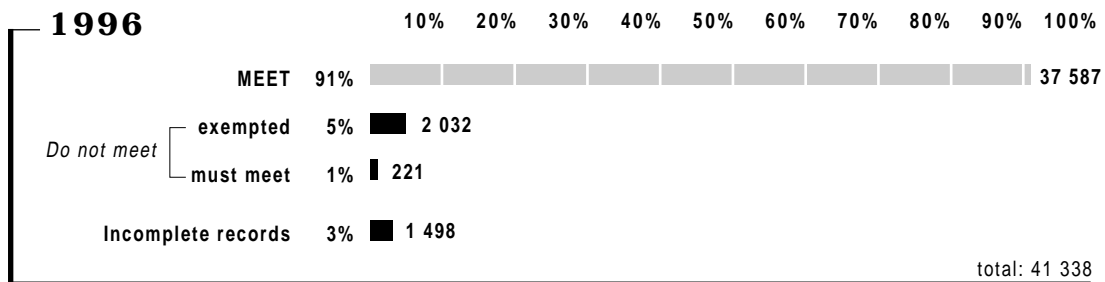
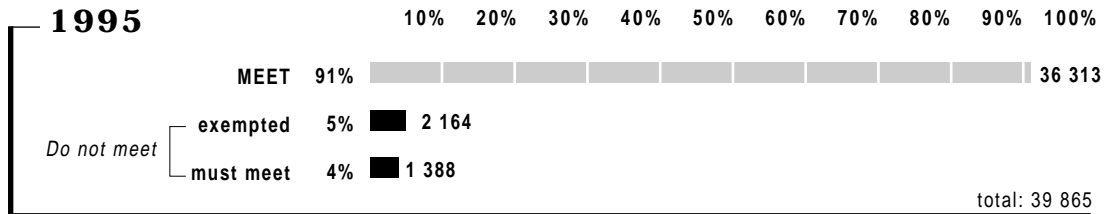
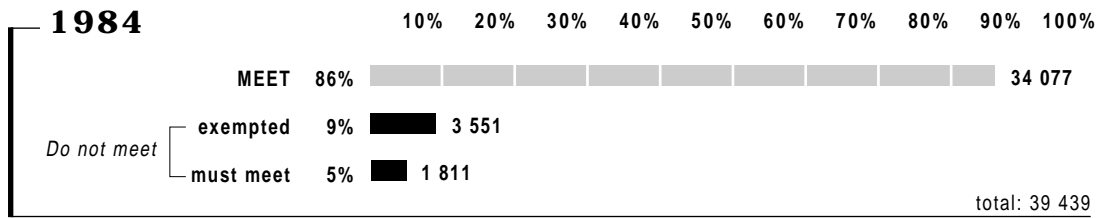
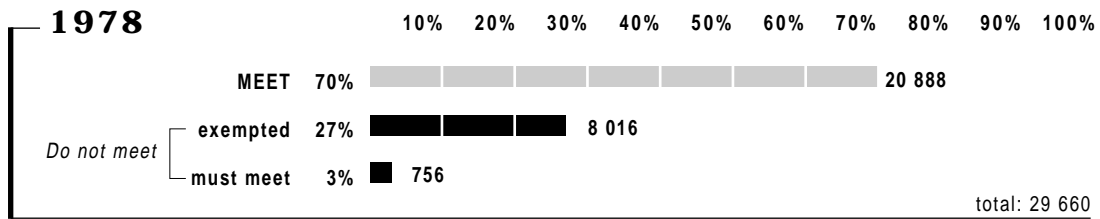
PCIS and OLIS data

**Table 6**

**Service to the public — Public Service**

Bilingual positions

Linguistic status of incumbents

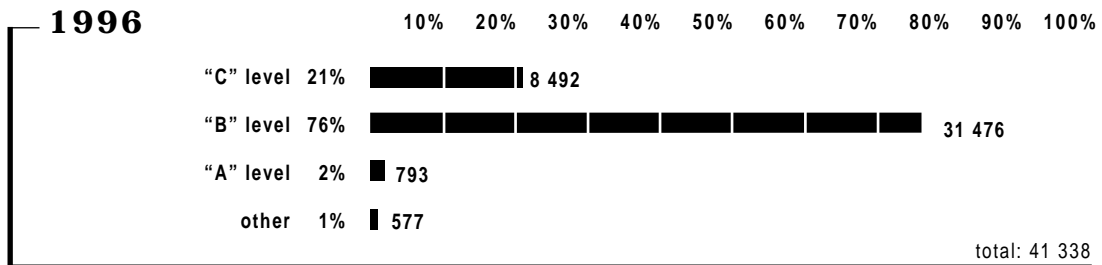
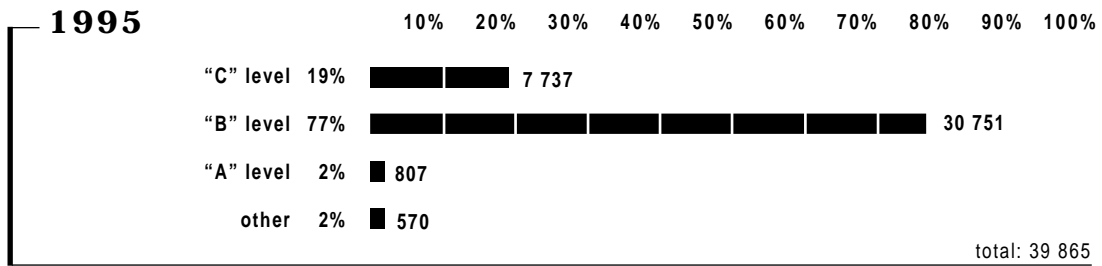
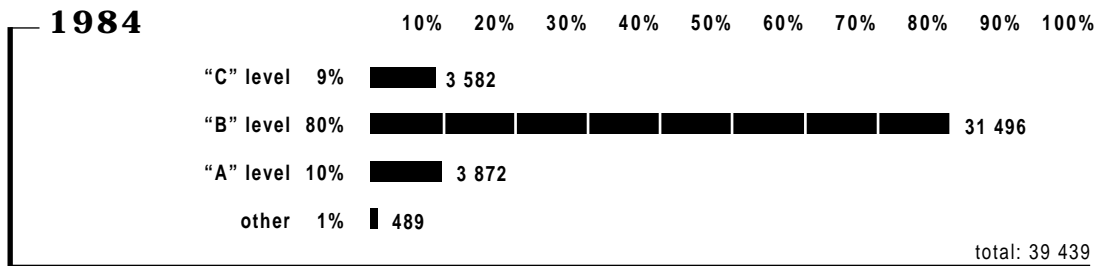


PCIS and OLIS data

**Table 7**

**Service to the public — Public Service**

Bilingual positions  
Second-language level requirements



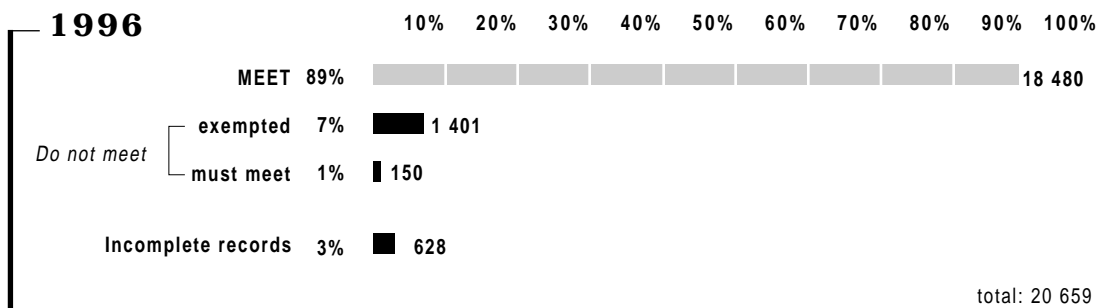
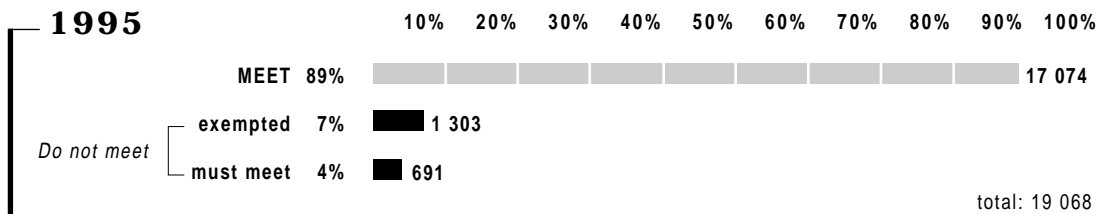
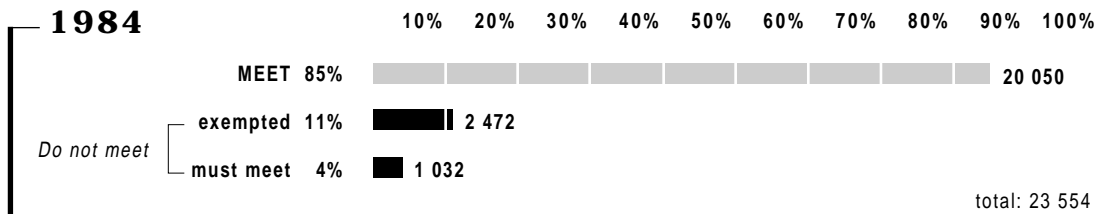
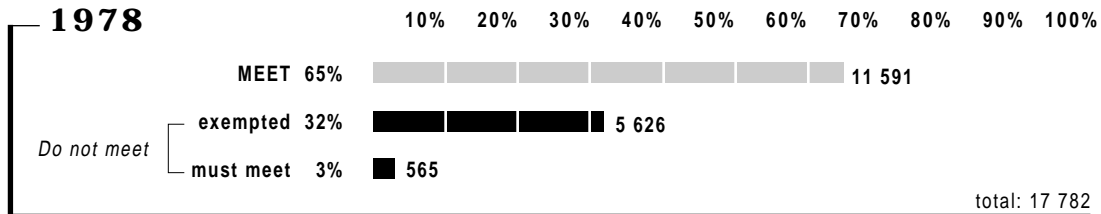
PCIS and OLIS data

**Table 8**

**Internal services — Public Service**

Bilingual positions

Linguistic status of incumbents

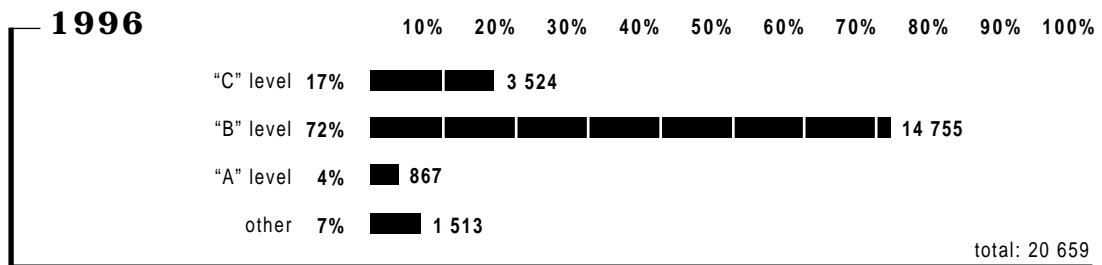
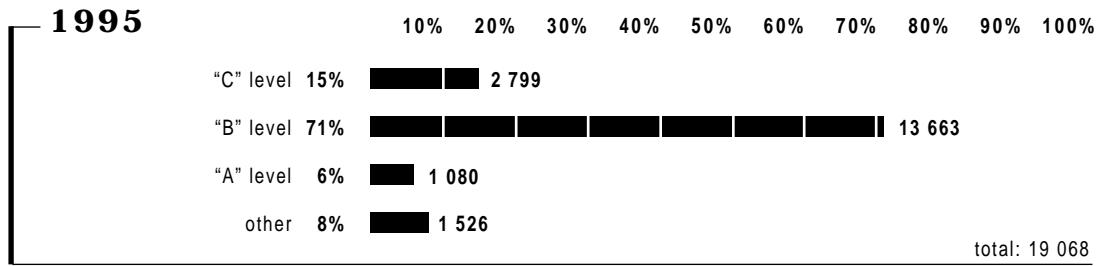
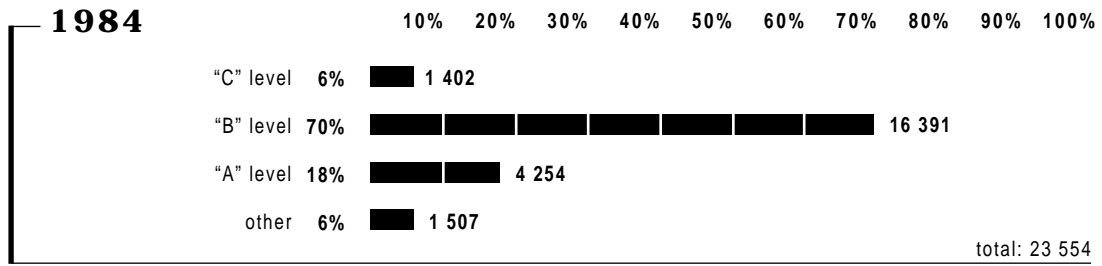
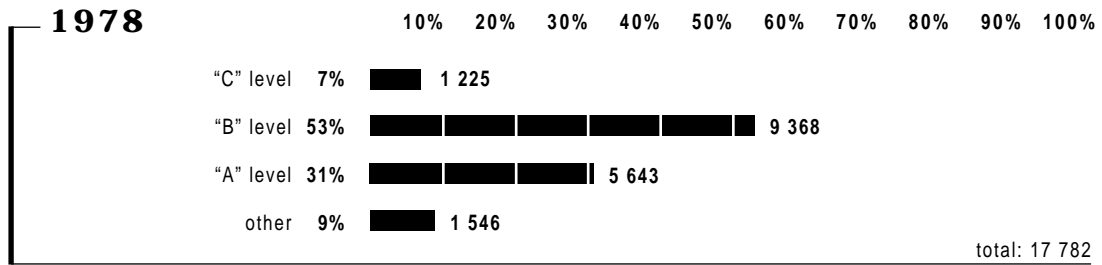


PCIS and OLIS data

**Table 9**

**Internal services — Public Service**

Bilingual positions  
Second-language level requirements



PCIS and OLIS data

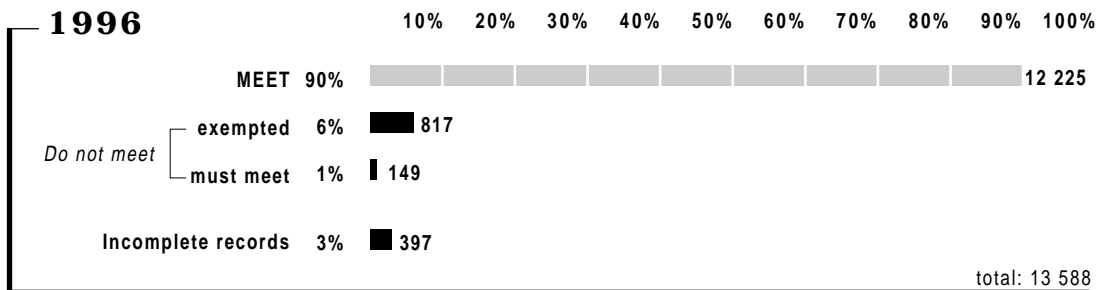
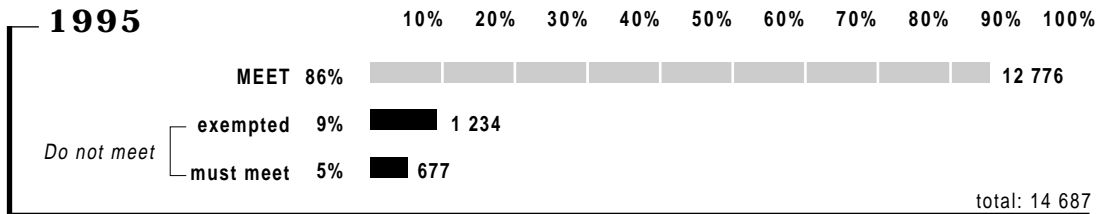
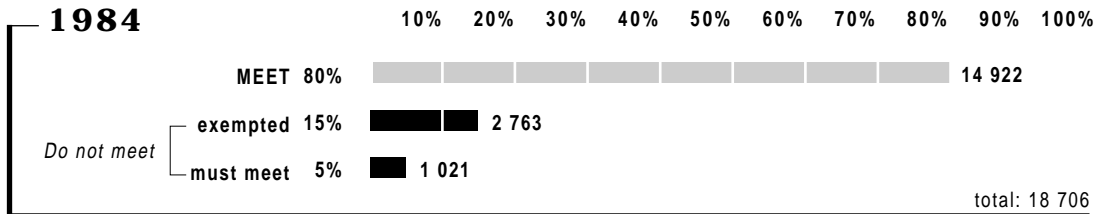
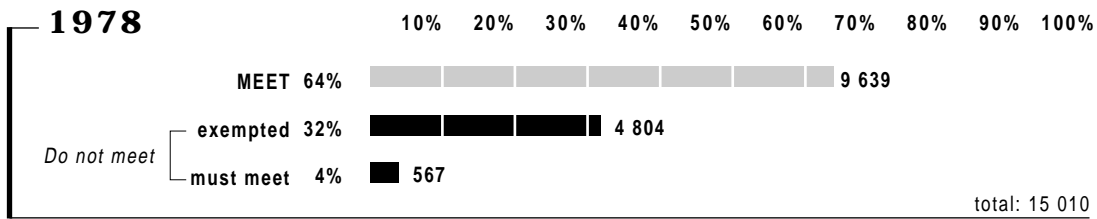


**Table 10**

**Supervision — Public Service**

Bilingual positions

Linguistic status of incumbents



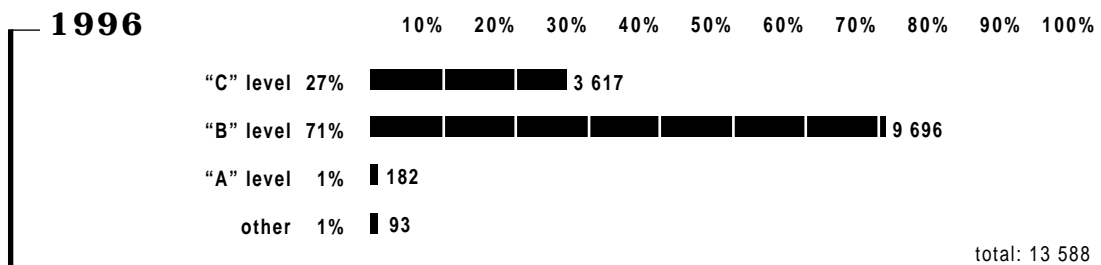
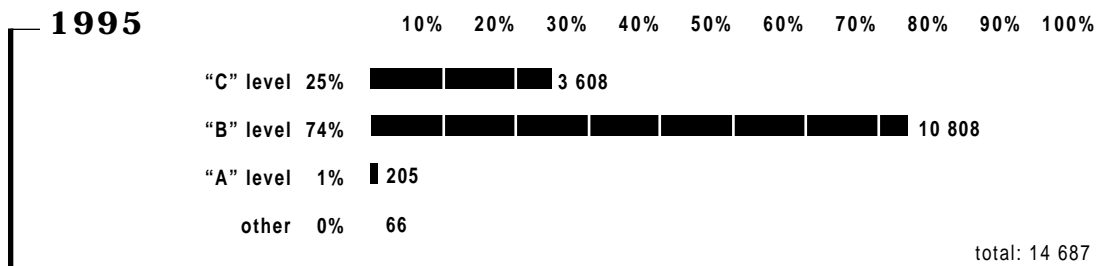
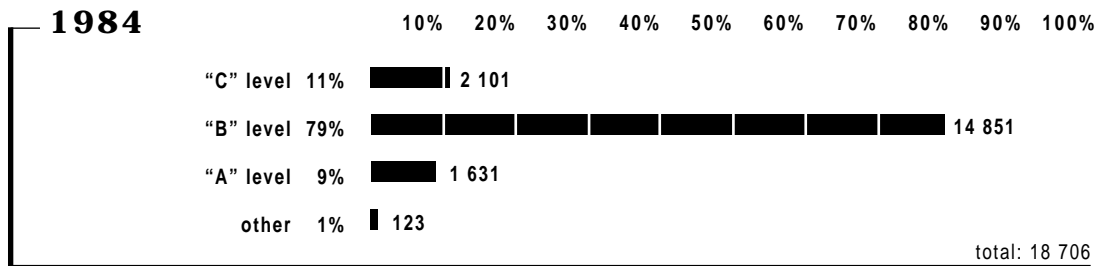
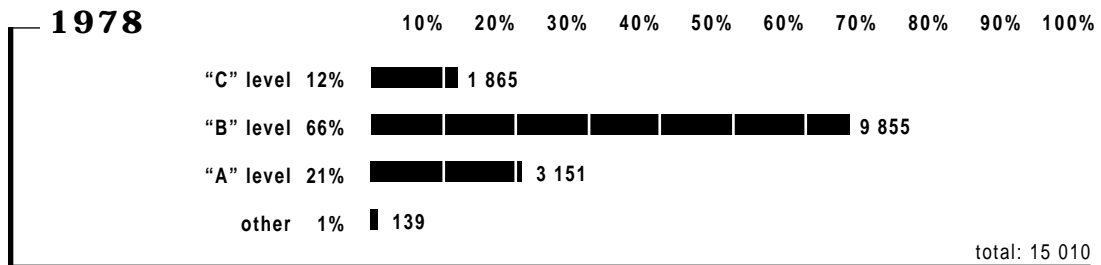
PCIS and OLIS data

**Table 11**

**Supervision — Public Service**

Bilingual positions

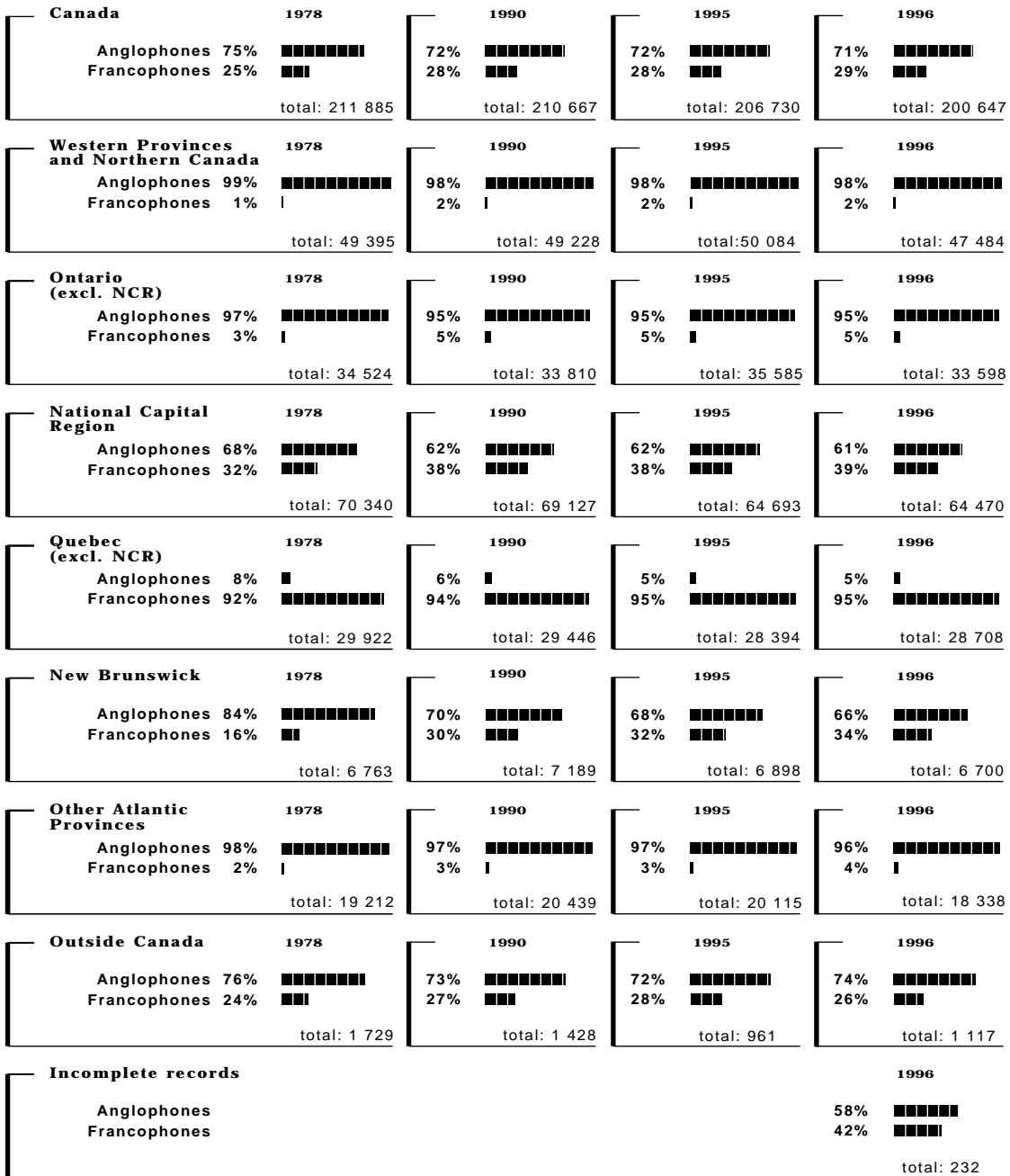
Second-language level requirements



PCIS and OLIS data

**Table 12**

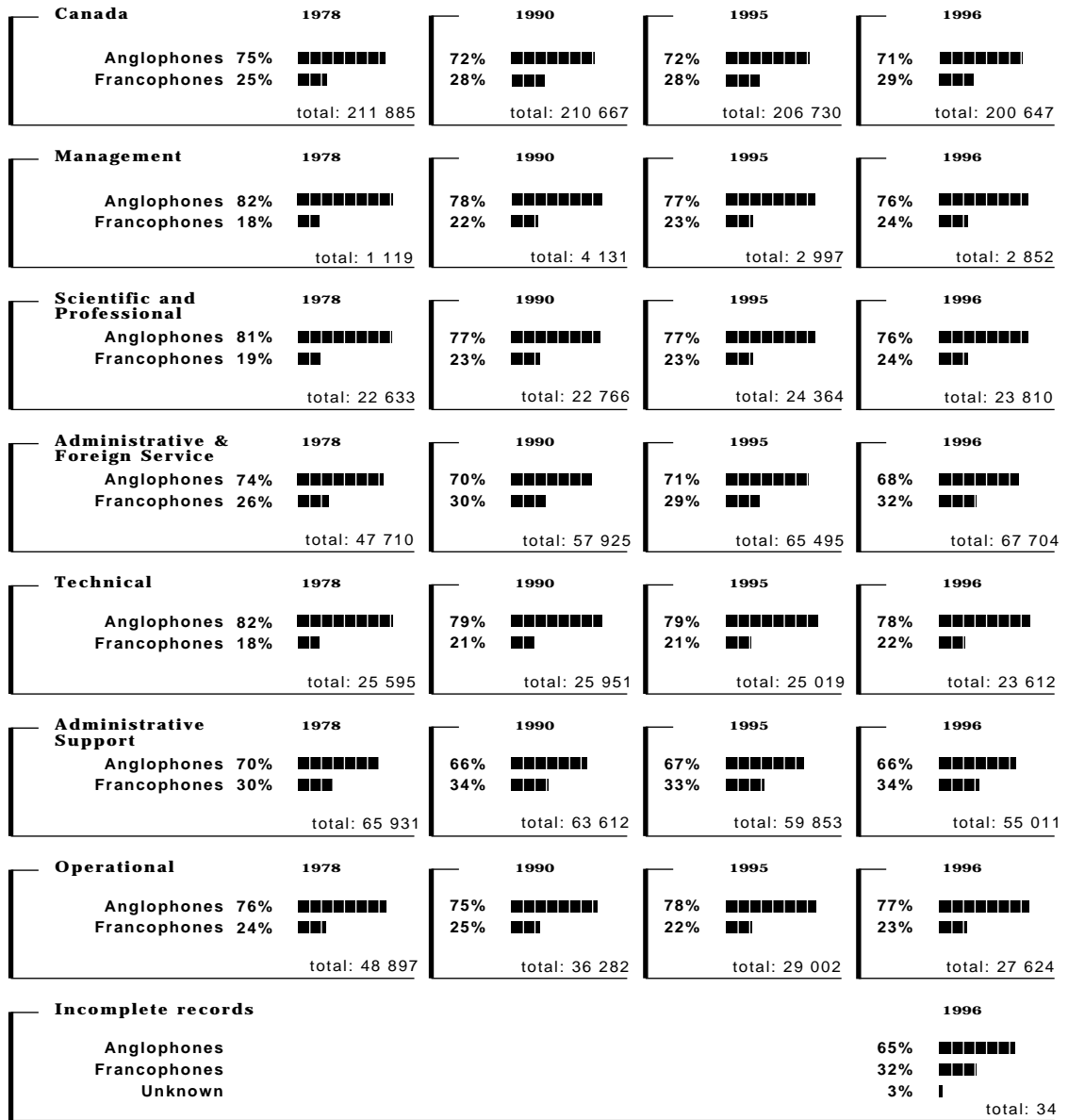
**Participation by region  
in the Public Service**



PCIS and OLIS data

**Table 13**

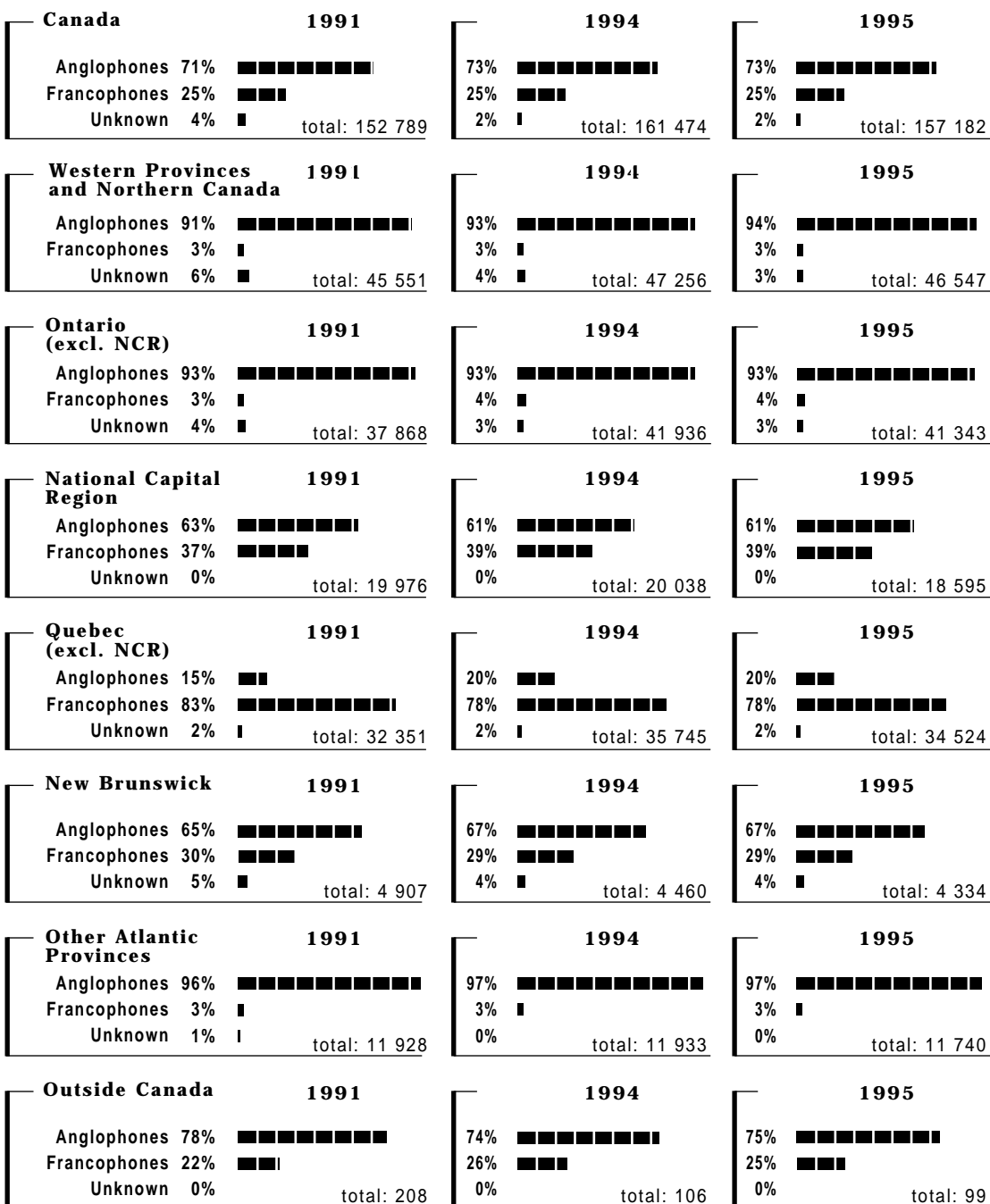
**Participation by occupational category in the Public Service**



PCIS and OLIS data

**Table 14**

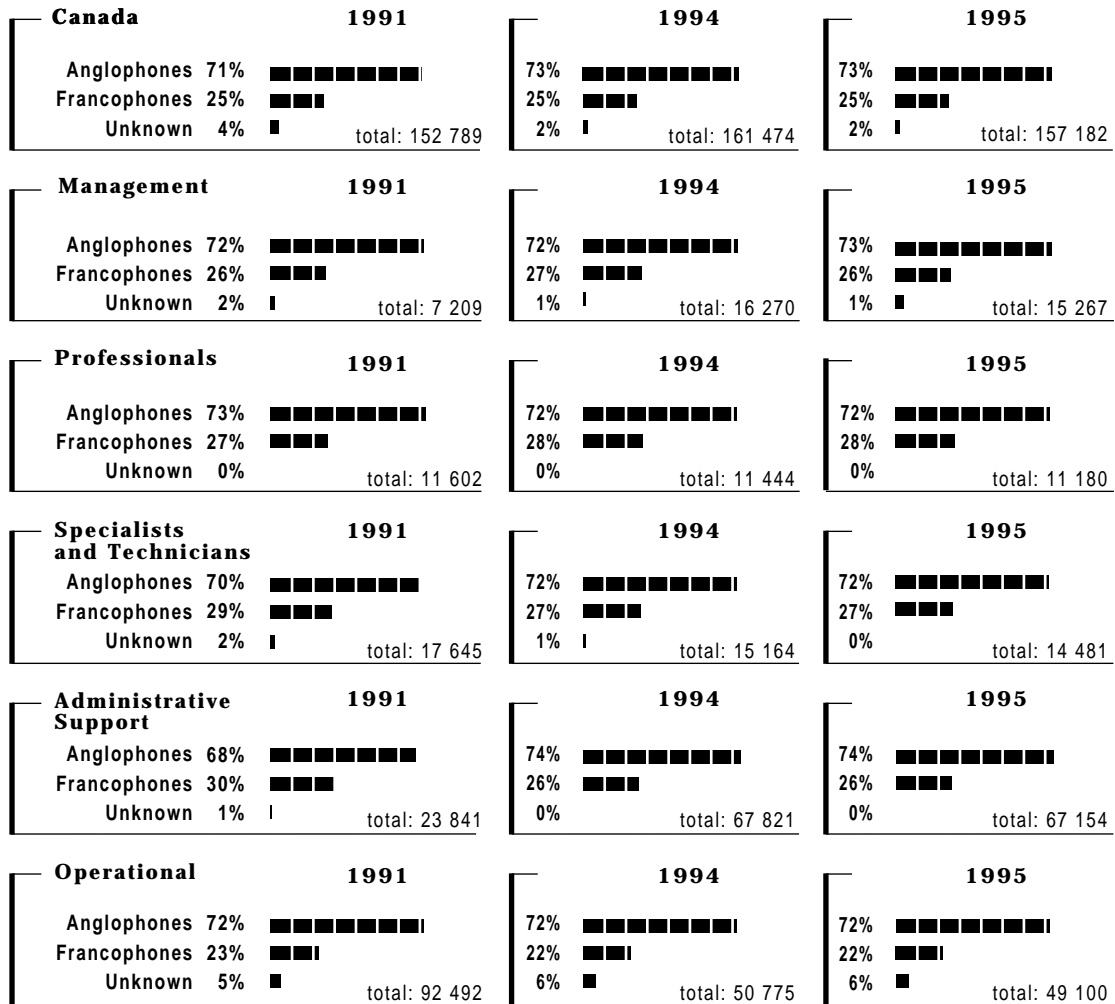
**Participation by region in Crown corporations, the RCMP, separate employers and other organizations subject to the *Official Languages Act***



OLIS II data

**Table 15**

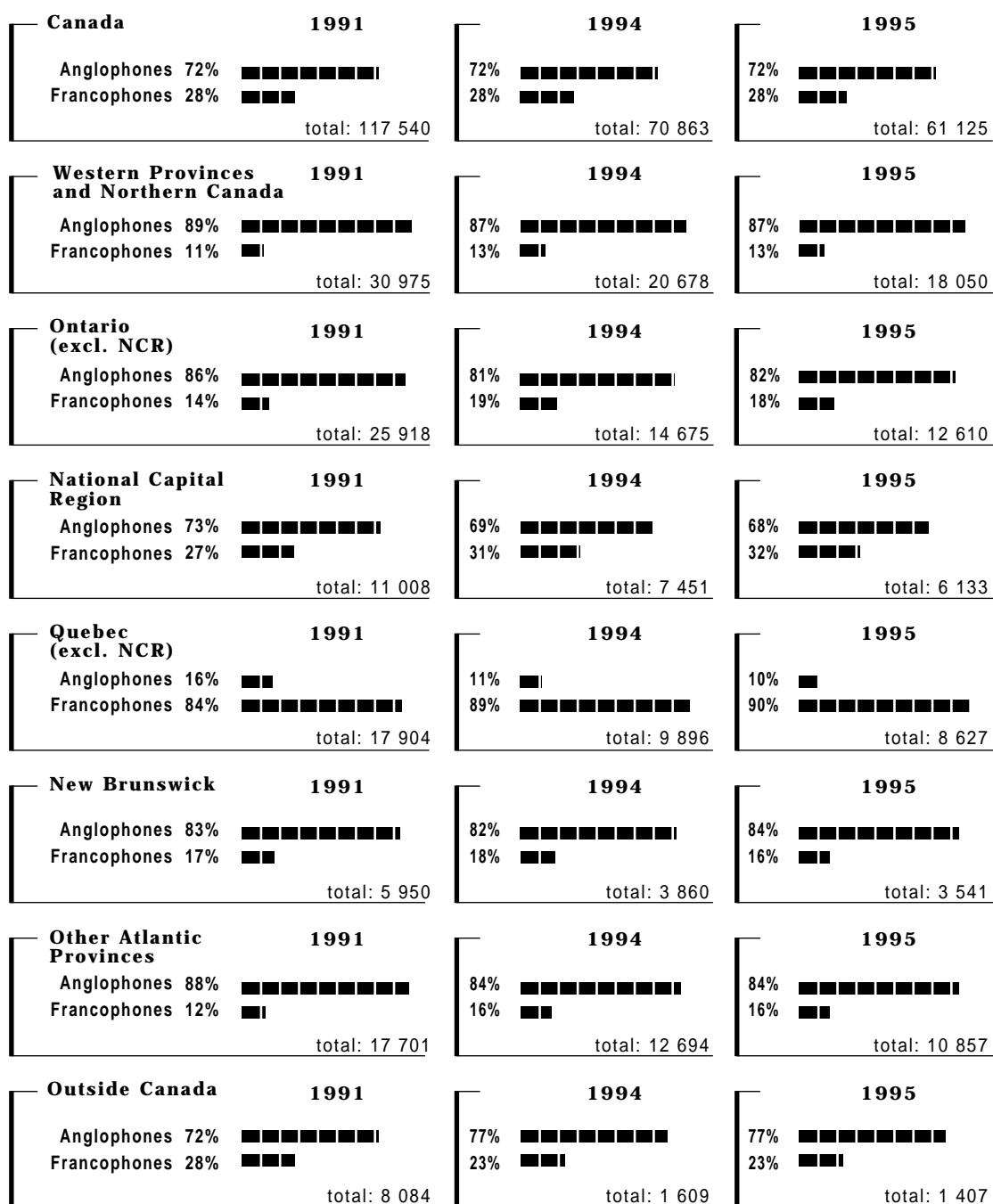
**Participation by occupational category in Crown corporations, the RCMP, separate employers and other organizations subject to the *Official Languages Act***



OLIS II data

**Table 16**

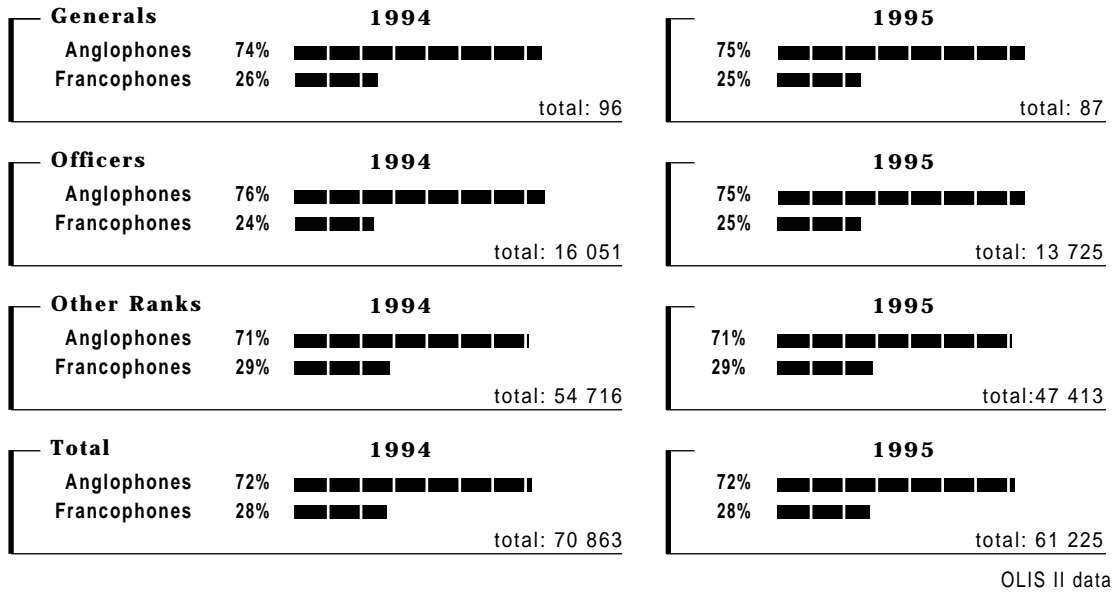
**Participation by region of  
Anglophone and Francophone  
Canadian Regular Forces personnel**



OLIS II data

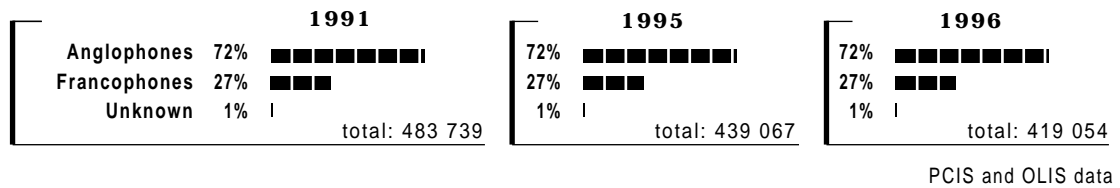
**Table 17**

**Participation by rank  
of Anglophone and Francophone  
Canadian Regular Forces personnel**



**Table 18**

**Participation of Anglophones and Francophones  
employed in all organizations subject to the  
*Official Languages Act***

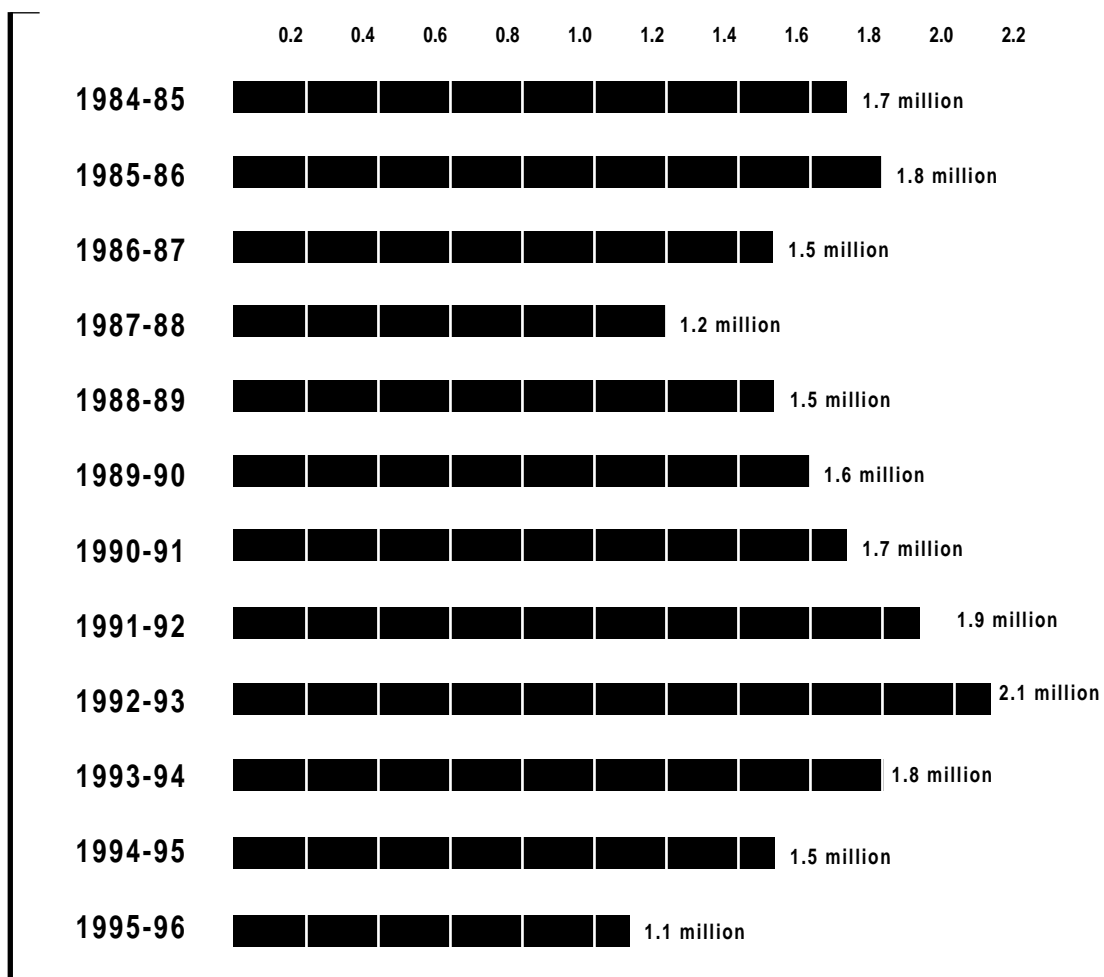




**Table 19**

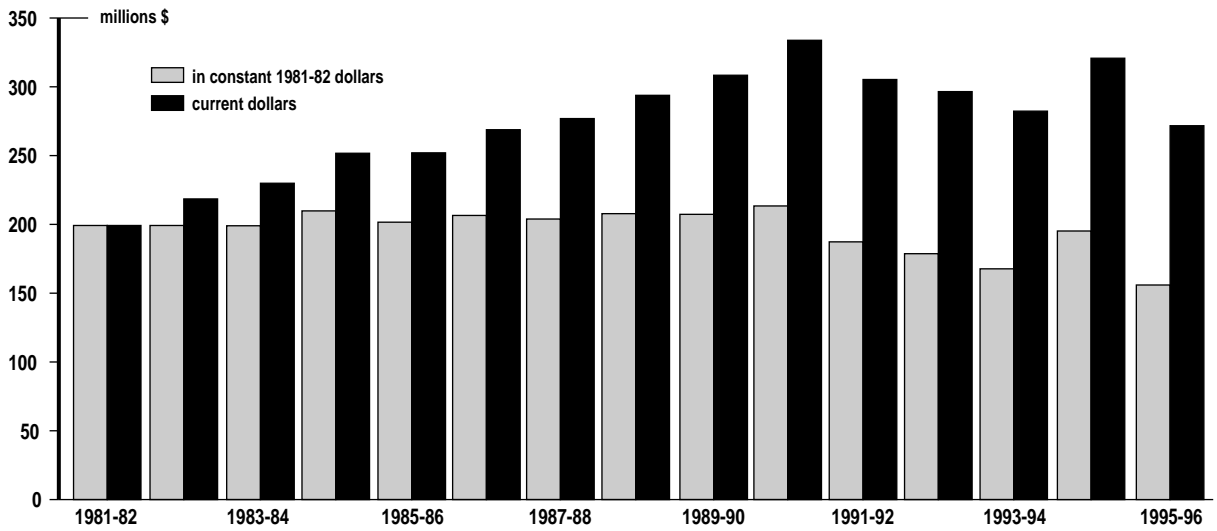
**Language training (in hours)**

All suppliers



**Table 20**

**Historical data on Official Languages  
Program costs within  
federal institutions**



**Table 21**
**Official Languages Program  
costs within federal  
institutions by subject**

Subjects	1995-1996
	Actual Expenditures (millions \$)
<b>Translation</b>	
Translation Bureau (1)	40.9
Departments and agencies	69.0
Crown corporations, parliamentary institutions (2), Canadian Forces and other agencies (3)	19.3
<b>Total</b>	<b>129.2</b>
<b>Language training</b>	
Public Service Commission	25.5
Departments and agencies (4)	9.3
Crown corporations, parliamentary institutions, Canadian Forces and other agencies (3),(4)	21.0
<b>Total</b>	<b>55.8</b>
<b>Bilingualism bonus</b>	
Departments and agencies (5)	51.6
Other agencies (3)	2.0
<b>Total</b>	<b>53.6</b>
<b>Administration and implementation (6)</b>	
Treasury Board Secretariat	3.8
Public Service Commission (7)	1.5
Departments and agencies	11.7
Crown corporations, parliamentary institutions, Canadian Forces and other agencies (3)	9.3
<b>Total</b>	<b>26.3</b>
<b>GRAND TOTAL</b>	<b>264.9</b>

## NOTES

1. The Translation Bureau's costs include the interpretation in official languages for departments and agencies, parliamentary institutions and the Canadian Forces, but not for multilingual and sign-language. Receipts and amounts recovered have been deducted. Costs incurred by departments and agencies, parliamentary institutions, the Canadian Forces and Crown corporations are not included in the Translation Bureau's costs and are reported separately.
2. Includes the House of Commons, Senate and Library of Parliament.
3. Includes agencies listed in Schedule 1, Part 2 of the *Public Service Staff Relations Act*.
4. Includes the costs of language training given or paid for by federal institutions and purchased from the Public Service Commission and private and parapublic suppliers. Included as well are travel expenses related to training and the reimbursement of tuition fees.
5. Includes the annual costs of the bonus to RCMP members.
6. Includes the salaries of employees who work 50 per cent or more of their time on the administration of the program and other expenses such as information services, rent, and professional and special services.
7. Includes Public Service Commission costs for the application of the Official Languages Exclusion Order of the *Public Service Employment Act* and the administration of second language evaluation.

## Technical notes and definitions

Due to the implementation of PCIS on April 1, 1995, the 1996 data on the Public Service include a line "Incomplete records" that cover files for which some data are missing. Furthermore, with the introduction of the new system governing the use of translation services, this report no longer provides information on the number of words translated. However, data on the costs of translation continue to be reported in the table on the cost of the Official Languages Program (Table 21).

**Table 1**

### Language requirements of positions in the Public Service

All positions in the Public Service are designated as bilingual or unilingual, depending on the specific requirements of each position and according to the following categories:

- *English-Essential*: a position in which all the duties can be performed in English.
- *French-Essential*: a position in which all the duties can be performed in French.
- *Either English- or French-Essential* ("Either/or"): a position in which all the duties can be performed in English or French.
- *Bilingual*: a position in which all, or part, of the duties must be performed in both English and French.

Positions include those staffed for an indeterminate period and for a determinate period of three months or more as of March 31, 1996.

**Table 2**

### Bilingual positions and the pool of bilingual employees in the Public Service

Establishment of the language profiles of positions and the linguistic assessment of federal employees is based on three levels of proficiency:

- Level A: minimum proficiency;
- Level B: intermediate proficiency; and
- Level C: superior proficiency.

Proficiency is based on an assessment of three skills: reading, writing and oral interaction. The results shown in this table, as well as in tables 5, 7, 9 and 11, are based on test results for oral interaction skills (understanding and speaking). Before 1990, the number of employees having a superior second-language proficiency level was underestimated because the tests only determined if an employee met the language requirements of the position being staffed. The current test assesses the actual level an employee attains.

**Table 3**

### Language requirements of positions in the Public Service by region

This table gives the breakdown of bilingual and unilingual positions by region. Figures for unilingual positions were obtained by adding the *English-Essential*, *French-Essential* and the *Either English- or French-Essential* categories.

Since all rotational positions abroad, which belong primarily to Foreign Affairs and International Trade Canada, are identified as "*Either/or*," the language requirements have been described in terms of the linguistic proficiency of the incumbents, rather than by reference to position requirements.

**Table 4**

### Bilingual positions – Status of incumbents

Table 4, along with tables 6, 8 and 10, deal with the linguistic status of incumbents who fall into one of three categories:

- *meet* the language requirements of their positions;
- are *exempted* from meeting the language requirements of their positions. Government policy allows that, under specific circumstances, an employee may

- apply for a bilingual position staffed on a non-imperative basis without making a commitment to meet the language requirements of the position. This normally applies to employees with long records of service, employees with a disability preventing them from learning a second language, and employees affected by a reorganization or layoff;
- remain in a bilingual position without having to meet the new language requirements of the position. This includes incumbents of unilingual positions reclassified as bilingual, or incumbents of bilingual positions for which the language requirements have been raised; and
- *must* meet the language requirements of their positions, in accordance with the Exclusion Order on Official Languages under the *Public Service Employment Act*, which grants employees a period of time to acquire the language proficiency required for their positions.

#### **Table 5**

##### **Bilingual positions — Second-language level requirements**

As was mentioned in the notes for Table 2, bilingual positions are identified according to three levels of second-language proficiency.

The “Other” category refers to positions either requiring code “P” or not requiring any second-language oral interaction skills. Code “P” is used for a specialized proficiency in one or both official languages that cannot be acquired through language training (e.g., stenographers and translators).

#### **Table 6**

##### **Service to the public — Status of incumbents**

While Table 4 covers all positions in the federal Public Service, Table 6 focuses on the linguistic status of incumbents in positions for which

there is a requirement for service to the public in both official languages. The three categories are defined in the notes for Table 4.

#### **Table 7**

##### **Service to the public — Second-language level requirements**

Table 7 indicates the level of proficiency required in the second language for bilingual service-to-the-public positions.

#### **Table 8**

##### **Internal services — Status of incumbents**

Table 8 shows the linguistic status of incumbents of bilingual positions providing internal services, i.e., positions where there is a requirement to provide personal (e.g., pay) or central services (e.g., libraries) in both official languages in the NCR and the designated bilingual regions for language-of-work purposes as set out in the *Official Languages Act*. The three categories are defined in the notes for Table 4.

#### **Table 9**

##### **Internal services — Second-language level requirements**

This table looks at the second-language level requirements for bilingual positions in the internal services sector. See the note for Table 8. The definitions of levels of language proficiency are shown in the notes for Table 2.

#### **Table 10**

##### **Supervision — Status of incumbents**

This table shows the linguistic status of the incumbents of bilingual positions with bilingual supervisory responsibilities in the NCR and in those regions designated as bilingual for the purpose of language of work as set out in the *Official Languages Act*.

**Table 11****Supervision — Second-language level requirements**

Table 11 shows the second-language level requirements for positions described in the note for Table 10. It is further to tables 5, 7 and 9. However, since a position may be identified bilingual for more than one requirement (e.g., service to the public and supervision), the total of positions in tables 7, 9 and 11 does not necessarily match the number of bilingual positions in Table 5.

**Tables 12, 13, 14 and 15****Participation of Anglophones and Francophones**

The terms “Anglophones” and “Francophones” refer to the first official language of employees. The first official language is that language declared by employees as the one with which they have a primary personal identification — that is, the official language in which they are generally more proficient. Data on civilian employees of the Royal Canadian Mounted Police are contained in the statistics on the Public Service.

In tables 12 and 13 there were in 1996 a number of employees in each region and occupational category whose first official language was unknown either because the data were missing or because they were inconsistent with other data. However, their number (125 employees for Canada as a whole) is negligible and does not amount to even one per cent of the total for each region or occupational category. For this reason, they do not appear in tables 12 and 13. The category “Incomplete records” at the bottom of both tables for 1996 represents employees whose region of work or occupational category was not known. These totaled 232 and 34 persons respectively.

**Tables 16 and 17****Participation of Anglophone and Francophone Canadian Regular Forces personnel**

Data on civilian Canadian Forces personnel are included in the statistics on the Public Service. Reserve personnel have been excluded from the data.

**Table 18****Participation of Anglophones and Francophones employed in all organizations subject to the *Official Languages Act***

While tables 12 to 17 cover the Public Service, Crown corporations, the RCMP, separate employers and other organizations, and Canadian Regular Forces, this table shows the participation of Anglophones and Francophones in all organizations subject to the *Official Languages Act*, that is, federal institutions and all other organizations that are subject to the Act or parts of it when another legal instrument stipulates it, for example, Air Canada or designated airport authorities.

**Table 19****Language training**

The data in this table comes from the Language Training Module of the Treasury Board as well as from information provided by departments and agencies. It indicates the number of hours of language training given by all suppliers.

**Tables 20 and 21****Historical data on Official Languages Program costs within federal institutions and costs by subject**

These costs include simultaneous translation and the translation of parliamentary and government documents, language training (Public Service employees and military personnel), bilingualism bonus and administration of policies and programs by central agencies, departments, Crown corporations and Canadian Forces personnel.