

Substantive Equality of Official Languages

Canada has two official languages: English and French.

Individuals have the right to receive services from federal institutions in the official language they choose.

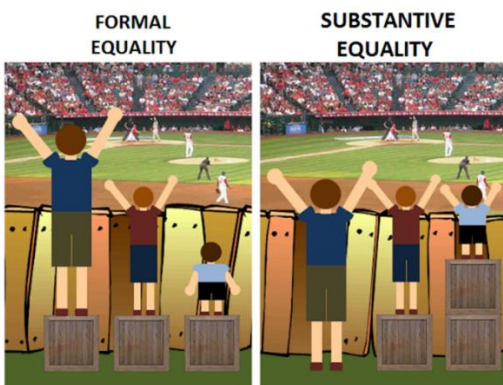
Federal institutions have a duty to communicate with and provide services to the public in both official languages. Their communications and services must be substantively equal regardless of the official language chosen.

Substantive equality is the standard used to ensure respect for the right to receive services and communications in the official language an individual chooses.

Substantive equality considers differences.

Substantive equality considers the differences between the linguistic majority and minority. Providing the same quality of service to both groups means adapting the services to the needs of each group.

Don't confuse substantive equality with formal equality.
Formal equality is when the institution provides identical services to both linguistic groups without considering the differences between them.



Substantive equality doesn't compromise.

Federal institutions must take steps to ensure that the quality of the services provided to both linguistic groups is the same.

The result of the steps taken by the institution, not the steps themselves, determines whether there is substantive equality. Making a reasonable effort to accommodate both

linguistic groups is not enough. Substantive equality is not measured by cost or other practical considerations.

Substantive equality depends on the result: the services are of the same quality when the individual receives them.

The four criteria of substantive equality

Substantive linguistic equality means the two official languages are equal in status, use, access and quality.

Both official languages have the same status.

Equal status

English and French have the same status. One language is not more important than the other, even if more people use it in a particular region. Neither linguistic group should ever feel it is inferior to the other.

That's why, for example, the signs on the buildings of public institutions have the same size letters in both languages. It's also why the English and French versions of federal institutions' forms and information documents are equally authoritative.

People can use the official language of their choice.

Equal use

Individuals have the right to receive services from a federal institution and communicate with it in either official language at their choice.

A federal institution can't make anyone receive services or communicate with it in a certain language just because the person understands it or uses it every day.

Services are equally accessible in both official languages.

Equal access

For individuals to truly have the right to use the official language of their choice, the services must be equally accessible and attractive in either language.

For example, the waiting time for a service must not be longer in one language than in the other. Federal employees don't all have to be bilingual, but services must be equally accessible in both official languages.

Services are of the same quality in both official languages.

Equal quality

Substantive equality is not achieved if the quality of service is better in one language than in the other. But this doesn't mean there's a precise standard of quality. A service can be equally bad in both languages.

To ensure services of substantive equality, the needs and characteristics of the two linguistic groups must be considered. So, the same service might be provided in a different way to each linguistic group.