

Consumer and Corporate Affairs Canada

DEPARTMENTAL POLICY
ON
OFFICIAL LANGUAGES

October 1, 1990

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CONSUMER AND CORPORATE AFFAIRS

**DEPARTMENTAL POLICY
ON
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FOREWORD

When the new Official Languages Act came into force on September 15, 1988, the Departmental policy on official languages was updated in order to conform to the provisions of this new legislation.

This policy reflects the express intention of Consumer and Corporate Affairs to meet its obligations in the areas of service to the public and language of work, and to fulfill the government's commitment to ensure the full participation of both English and French speaking Canadians.

The rules and guidelines which should be followed in the course of daily activities are contained herein.

This policy will assist Departmental employees in better understanding both the implications of the Act and its effect on service to the public, language of work and full participation.

Your cooperation is essential to the success of this new official languages initiative and I urge you to fully support and comply with its provisions.



Jocelyne Bourgon



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CHAPTER 1

INTRODUCTION

1. Purpose

The purpose of this document is to set forth the Department's policies in respect to official languages, in accordance with the provisions of the Official Languages Act passed by Parliament in 1988 and government policies which are currently in effect.

2. Authorities

2.1 The Canadian Constitution

The Canadian Constitution, passed by the Parliament of Canada in December 1981, establishes the right to use the official languages. It guarantees each individual the right to use either English or French in dealing with the institutions of Parliament and the Government of Canada. It also states that English and French are the official languages of Canada, and that they have equal status in the institutions of Parliament and the Government of Canada.

2.2 Official Languages Act

The Act, which came into effect on September 15, 1988, is designed to ensure respect for English and French as the official languages of Canada and to ensure equality of status and equal rights and privileges as to their use in all federal institutions. This relates in particular to their use in parliamentary proceedings, legislative and other instruments, the administration of justice, in communicating or providing services to the public, and with respect to language of work and full participation of English-speaking and French-speaking Canadians. The Act is also intended to support the development of English and French minority communities and to promote equality of status and the use of the English and French languages within Canadian society. Finally, the 1988 Act sets out the rights, obligations and functions of federal institutions in respect to the official languages of Canada.

3. Obligations and Commitments

3.1 Obligations

The Official Languages Act sets out two obligations with respect to federal institutions. These relate to communications with and services to the public and to language of work.

3.1.1 Communications with and Services to the Public

Federal institutions must ensure that the public can communicate with them and receive services in either official language, in accordance with the provisions of the Act.

3.1.2 Language of Work

Federal institutions must create and maintain a working environment conducive to the effective use of both official languages and accommodate the use of either language by its officers and employees since English and French are both languages of work in accordance with the provisions of the Act.

3.2 Commitments

3.2.1 Participation of English-Speaking and French-Speaking Canadians

The Government of Canada is committed to ensuring that, consistent with the merit principle, English-speaking and French-speaking Canadians have equal opportunities for employment and advancement within federal institutions and that the work force of these institutions tends to reflect the presence of both official language communities of Canada.

4. Effective Date

This policy takes effect on October 1, 1990. It supersedes the policy issued on April 1, 1983 and all previous departmental policies.

CHAPTER 2

RESPONSIBILITIES

1. Treasury Board Secretariat

The Treasury Board Secretariat is responsible for the general development and coordination of policies and programs relating to the implementation of the three major program components: communications with and services to the public, language of work and the participation of English and French speaking Canadians in federal institutions.

The Secretariat may establish application principles, or recommend these to the Governor in Council, recommend regulatory enforcement measures to the Governor in Council, and give instructions, monitor and audit federal institutions for compliance with principles, instructions and regulations. The Secretariat may evaluate the effectiveness of the principles and programs of federal institutions, inform the public and government employees of the principles and programs of application and delegate some of its authority to deputy heads.

2. The Office of the Commissioner of Official Languages

Within his or her authority, the Commissioner of Official Languages must take all measures required to ensure recognition of the status of both official languages in compliance with the spirit of the Act and intent of the legislation in respect to the administration of the business of federal institutions, especially in the promotion of English and French within Canadian society. In order to do so, the Commissioner conducts investigations, either on his or her own initiative or in response to complaints received, then presents reports and recommendations. Finally, the Commissioner is empowered to examine the regulations and instructions regarding the application of the Act, as well as any other regulations or instructions intended or likely to affect the status or use of the official languages.

3. Standing Joint Committee of the Senate and of the House of Commons

This Committee is responsible for overseeing the application of the Official Languages Act and related regulations and instructions, as well as the implementation of the reports of the Commissioner, the President of the Treasury Board and the Secretary of State of Canada.

4. The Deputy Minister

The Deputy Minister is responsible for applying the provisions of the Official Languages Act and the regulations, related principles of application, and instructions. The Deputy Minister is also responsible for implementing the policies described in this document and attaining the objectives set out in the Letter of Understanding signed with the Secretary of the Treasury Board within the framework of Increased Ministerial Authority and Accountability. The Deputy Minister must submit an annual management report on

official languages to the Treasury Board Secretariat (TBS) describing the progress made. TBS must also be provided with annual forecasts of needs related to language training and translation services for the central agency's administrative purposes.

5. Managers

Managers at every decision-making level in the Department are accountable for the application of the Official Languages Act and the regulations and related principles of application and instructions, as well as for implementation of the Departmental policy on official languages and the provisions of the Letter of Understanding established with the Secretary of the Treasury Board.

Managers are responsible for establishing official languages goals and objectives specific to their situation within the framework of the Department's overall official languages objectives, for specifying these goals in their annual management report and for discussing them with their staff. They must report on progress made to their superior, that is, the head of their bureau or activity.

Managers at the delegation level described in the document entitled **Delegation of Personnel Management Authorities** are responsible for identifying the language requirements of positions and the linguistic profiles of bilingual positions in their organization. Managers will be given sufficient notice of any amendment to this instrument of delegation.

Finally, regional managers are specifically responsible for establishing effective contact with minority official language associations in their region.

All managers receive an annual evaluation of the effectiveness and efficiency of their management of the organization for which they are responsible, including their management of the official languages program.

6. Official Languages and Training Branch

The Official Languages and Training Branch is responsible for overseeing the implementation of the Official Languages Act within the Department. It is also responsible for interpreting the principles of application, regulatory measures and instructions issued by the Treasury Board Secretariat or the Governor in Council.

The Branch advises the Minister and Deputy Minister on their presentations to Cabinet, Treasury Board and the Standing Joint Committee of the Senate and of the House of Commons responsible for the implementation of the Official Languages Act.

The Branch is responsible for long-term planning of the program. Policies and strategies are developed to ensure steady progress toward the attainment of the government's objectives, the discharge of its commitments and the achievement of the departmental objectives set out in the Official Languages Letter of Understanding.

The Official Languages and Training Branch prepares bi-annual performance indicators. It analyses the annual management reports on official languages which are completed by managers and recommends appropriate corrective measures. The Branch consolidates all this information in the Annual Report on Official Languages which is submitted for approval to the Deputy Minister and forwarded to the Treasury Board Secretariat.

In cooperation with the Internal Audit Branch of the Department, the Branch designs and develops procedures and criteria to assess the program's efficiency and effectiveness.

On its own initiative or at managers' request, it carries out special analysis and presents reports containing recommendations or assessment of progress.

The Branch ensures that managers make the necessary administrative arrangements where an incumbent does not meet the language requirements of his or her bilingual position.

The Branch ensures implementation of the departmental policy and guidelines on translation and oversees coordination of translation services within the Department in accordance with the requirements of the TBS.

The Branch also coordinates the language training program. It ensures that adequate language training is available in order to enable employees to perfect or improve their language skills as a means of improving career opportunities and general employee satisfaction.

On behalf of the Department, the Branch maintains relations with the Office of the Commissioner of Official Languages and ensures the coordination of Departmental responses to complaints received from that agency.

It develops and implements information programs for the public and for Departmental managers and employees to ensure that both the Program and the Act are clearly understood and implemented.

It ensures the integration of the Program with managers' decision-making processes and existing administrative procedures through a review of operational decisions where language matters are involved.

Finally, the Official Languages and Training Branch monitors the implementation of the delegated activities. For example, on a continuous basis it evaluates the linguistic identification of positions and the linguistic profiles of bilingual positions. It ensures the supervision of activities related to the Second Language Evaluation (SLE), in particular with respect to eligibility for the bilingualism bonus. The Branch also oversees eligibility for the bilingualism bonus in general.

7. Internal Audit Branch

Responsibility for auditing the official languages program is shared between the Internal Audit Branch and the Official Languages and Training Branch.

8. Employees

Employees in the Department must respect the provisions of the Official Languages Act. They must comply with the Departmental policy on official languages and apply it in the course of their duties. As part of their responsibilities, employees must help to attain the Departmental objectives in this area.

CHAPTER 3

COMMUNICATIONS WITH AND SERVICES TO THE PUBLIC

1. General

Members of the public must be able to communicate with and receive services from the Department in the official language of their choice. Departmental services must be available and offered to the public in both official languages at all levels and in all programs.

1.1 Departmental Identification

Departmental identification must be bilingual on signs, posters, notice boards and temporary or permanent notices in offices, on buildings and departmental vehicles, as well as on envelopes, letterhead, business cards, rubber stamps and in public telephone directories.

The order of English and French titles depends on the official language spoken by the majority of the population of the province in which the office is located.

1.2 Use of Media - Method of Communication

When the Department communicates with the general public in both official languages, it must use the media that allows it to communicate effectively with each language community in the official language of its choice. The departmental Communications Branch must therefore establish and maintain an up-to-date national media list to ensure the use of the best method of communication between the Department and the Canadian public.

1.3 Recorded Telephone Messages

In offices located in regions where there is a significant demand, all recorded telephone messages must be bilingual. Offices in other regions are encouraged to provide these messages in bilingual format when possible.

2. Active Offer

2.1 Definition

In cases where the Department must actively offer its services in both official languages, either orally or in writing, it is not sufficient to have the linguistic capability to ensure that the language rights of clients are respected; clients must also be informed of this fact, so that they realize that the use of the official language of their choice will not reduce the quality of the service sought. The client should not have to inquire as to whether services are available in either official language; the Department should ensure that this is obvious.

2.2 Directory

To this end, there is a list of offices that offer services to the public in both official languages - because there is a significant demand or due to the office's mandate - in the TBS publication entitled **At Your Service: Directory of Offices of Federal Departments and Agencies Offering their Services to the Public in Both Official Languages**. The Department occasionally uses the minority official language press to remind members of the official language minority of the locations of offices that can provide services in the official language of their choice. When necessary, the Department also uses the minority official language press to announce any changes to the list of offices offering services to the public in both official languages.

2.3 Relations with Minority Official Language Groups

Regional directors maintain close relationships with major minority official language associations and federations so that they can better understand the needs of their minority official language clients and thus offer them better service. This also allows them to elicit comments and suggestions. Moreover, during his tours of the regions, the Director of Official Languages and Training meets representatives of the main minority official language associations to inquire about the quality of the services offered by the Department and the clients' level of satisfaction with the services provided in their official language.

2.4 Official Languages Symbol

Since March 1, 1988, the Department must identify offices and service points that serve the public in both official languages by means of an official languages symbol which was developed by the Treasury Board Secretariat.

2.5 Active Oral Offer

2.5.1 On the Telephone

In offices where there is significant demand and where the office's mandate provides justification, members of the public must be able to communicate with the Department over the telephone and receive services in the official language of their choice.

Employees answering the telephone must use both official languages when identifying the Department or their work unit or when introducing themselves to the caller, although they need not repeat the same information in both languages. The greeting must be clearly articulated and easily understood by both Anglophones and Francophones. Employees must use the official language spoken by the majority of the population in a particular province first, followed by that of the official language minority. These opening remarks shall be expressed in a manner which encourages the caller to feel comfortable in using either English or French. It should always be assumed that clients are aware of their rights and will prefer to continue the conversation in their first official

language. Under no circumstances should persons answering the telephone suggest the choice of language or impose their own choice on clients, even in an indirect manner and regardless of whether the client is obviously bilingual.

All switchboard operators and receptionists should know the linguistic capabilities of those employees who can effectively serve clients. When a message is sent by means of an action request, the client's language should be indicated so that the officer, specialist or manager can follow up on the matter in that language. Each unit must adopt procedures so that, when necessary, unilingual employees can direct clients who address them in the other official language to a colleague who speaks that language and can inform these clients in their language of the need to do so.

It is always important to solicit comments from clients to ensure that they are satisfied with the service they have received.

2.5.2 In Person

In offices where there is a significant demand and where the office's mandate provides justification, the Department must ensure that reception areas visibly reflect the bilingual character of the office by displaying magazines, papers, folders, documentation and so forth, in both English and French. Members of the public shall be welcomed in both official languages and served in the official language of their choice. When necessary, the desired service will be provided by immediately obtaining the assistance of a colleague who can provide the service in the official language of the client's choice.

3. Circumstances of Active Offer

3.1 Significant Demand

In offices where there is a significant demand, the Department must **actively offer**, both orally and in writing, available services in the official language chosen by the client, even when the client is obviously bilingual. At present, this applies to offices in Halifax, Dartmouth, Saint John, N.B., Moncton, Fredericton, Bathurst, Rimouski, Sherbrooke, Montréal, Hull, Ottawa, Toronto, Windsor, Sudbury, and Winnipeg.

3.2 Office Mandate

In offices dealing with public health or safety, or where the national or international character of its mandate provides justification, or in any other circumstance set out in the regulations, the Department must **actively offer**, both orally and in writing, available services in the official language chosen by the client, even when the client is obviously bilingual.

3.3 Services Provided by a Third Party

The Department must ensure that services offered to the public by a third party on its behalf are in both official languages where it would be required to do so if it were offering the services itself, either because there is a significant demand or due to the mandate of the office. A language clause stipulating this requirement must therefore be included in service contracts concluded between the Department and third parties offering services on its behalf.

4. Other Circumstances

In other circumstances, managers must ensure that an effective and appropriate mechanism exists to permit oral communication, either in person or over the telephone, in the official language chosen by the client.

5. Written Communications

5.1 Correspondence

The Department must respond to all letters in the first official language of the correspondent. When the individual's first official language is not known, response must be done in the language used by the correspondent.

When the Department initiates contact with an individual and it is impossible to determine that individual's first official language, the recipient must be informed that all subsequent correspondence will be in the official language of his/her choice.

5.2 Forms

All forms intended for public use must be bilingual and must allow the user to identify the official language in which he/she wishes to receive services.

5.3 Documents Tabled in the Senate or House of Commons

The Government of Canada will simultaneously table the Department's documents in the Senate or House of Commons in both official languages.

5.4 Notices and Advertisements Published Pursuant to an Act

Notices, advertisements or other matters required or authorized by or pursuant to an Act of Parliament to be published by or under the authority of the Department primarily for the information of members of the public shall, wherever possible, be printed in one of the official languages in at least one publication in general circulation within each region where the matter applies that appears wholly or mainly in that language and in the other official language in at least one publication in general circulation within each region where the matter applies that appears wholly or mainly in that other language.

Where there is no publication in general circulation within a region where the matter applies that appears wholly or mainly in English or no such publication that appears wholly or mainly in French, such notices, advertisements or other matters shall be printed in both official languages in at least one publication in general circulation within that region.

5.5 Advertising and Press Releases

All departmental press releases intended for public distribution must be issued simultaneously in both official languages.

5.6 Scientific, Technical and Professional Publications

Scientific, technical or professional publications published by the Department, or on its behalf, and intended for a specialized Canadian public will be published simultaneously in both official languages. Articles appearing in internationally distributed reviews published by the Department, or on its behalf, will be published in the official language of the author's choice and shall include a complete summary in the other official language.

5.7 Other Documents Intended for the Public

All articles that are used to inform the public of, or involve it in departmental policies, services, programs or activities (such as notices, documentation, brochures, directives; signs, posters and forms) and that are to be used nationally or in areas of significant demand, or where the office's mandate provides justification, must appear simultaneously in both official languages.

However, where possible, the Department is also free to produce and distribute in both official languages documentation intended exclusively for members of the public in other parts of the country.

6. Other Contacts with the Public

6.1 Visits

Employees acting as guides for tours of the Department's facilities must be able to express themselves in the official language(s) of the visitors.

6.2 Exhibitions

When the Department organizes exhibitions, it must ensure that all participants respect the requirements regarding the provision of services to the public. When it participates in government or private exhibitions, the Department must ensure that all posters, labels, explanatory notes and other material on display are in English and French.

Departmental representatives must be bilingual, or there must be at least one English-speaking and one French-speaking representative.

6.3 Public Meetings

The Department must be able to make presentations and answer questions in the appropriate language. This applies to **news conferences, radio interviews and television appearances.**

6.4 Audio-Visual Material

Audio-visual material (such as films, slides, sound and video recordings) made available to the public must be printed or recorded in English and French and must be accompanied by comments or instructions in both official languages.

6.5 Negotiations

All negotiations between the Department and members of the public must take place in the official language chosen by the members of the public.

6.6 Participation in a Civil Case

When the Department appears in a civil case before a federal court, oral and written pleadings in the proceedings must be in the official language chosen by the other parties, unless the latter take an excessive amount of time to inform the Department of their choice. If the other parties do not express a preference, or fail to reach an agreement among themselves, the Department shall use the official language most appropriate in the circumstances.

6.7 Participation in International Events

Departmental delegations at international events held inside or outside Canada must be bilingual.

6.8 Invitations to Tender, Contractual Arrangements and Service Contracts

All invitations to tender, including related plans and specifications, must be available in both official languages. In making them public, the Department must use the media that permit effective communication with individuals in the official language of their choice. This will ensure that the two language groups have equal access to such contracts.

The documents relating to a contract must be available in both English and French.

6.9 Voluntary Organizations Receiving Financial Assistance from the Department

Consumer and voluntary organizations working at the national level and receiving substantial financial assistance from the Department are encouraged to provide services in both English and French and to foster the recognition and use of those languages especially in areas of significant demand recognized by the Department.

CHAPTER 4

LANGUAGE OF WORK

1. General

In accordance with the Canadian Constitution and the 1988 Official Languages Act, English and French are the languages of work in the Department of Consumer and Corporate Affairs.

Insofar as it is consistent with the institutional obligation to ensure service to members of the public in the language of their choice in areas of significant demand or where the office's mandate provides justification, and with the linguistic designation of positions, the Department must allow its employees to work in the official language of their choice in regions designated bilingual for the purpose of language of work.

2. Linguistic Regimes Relating to Language of Work

The Department has three different linguistic regimes for language of work:

- In the National Capital Region and other bilingual regions, English and French are the languages of work. The working environment must be conducive to the effective use of both languages. This applies to offices located in Saint John, N.B., Moncton, Fredericton, Bathurst, Montréal, Sherbrooke, Hull, Ottawa and Sudbury.
- In the Province of Québec, French is the language of work in offices located outside bilingual regions.
- In the other provinces, English is the language of work in offices located outside bilingual regions.

Outside the National Capital Region and other regions designated bilingual for purposes of language of work, the treatment of both official languages in parts or regions of Canada where one official language predominates must be reasonably comparable to their treatment in those where the other official language predominates.

3. Communications Between Offices

As a general rule, communications from any office that are distributed to employees nation-wide must be bilingual. Moreover, any communication from any office intended for a large number of employees in regions with different languages of work must be bilingual. When both official languages are used, the English and French versions must be of equal quality and be available simultaneously.

- Communications between offices in the National Capital Region and those in Quebec shall normally be in French or bilingual, as appropriate.

- Communications between offices in the National Capital Region and offices in the other provinces shall normally be in English or bilingual, as appropriate.
- Communications between offices located in the same bilingual region or in different bilingual regions may be in either official language or bilingual, as appropriate. When the languages of work are different, the office receiving the communication must take appropriate measures to facilitate understanding.
- Communications between offices located in bilingual regions and other offices in the same province shall be in the official language spoken by the majority of the population of that province.
- In all other instances, the language of communication shall be the language of work of the issuing office. When this differs from that of the receiving office, the receiving office must take the required steps to understand the communication. The latter may then respond in its own language of work.

N.B.: All communications relating to personal and central auxiliary services must be bilingual when they are addressed to employees located in bilingual regions, regardless of the linguistic regime of the issuing office.

4. Languages Used During Meetings

When English-speaking and French-speaking employees participate in meetings held in a bilingual region, the oral and written communications involved must reflect the equality of status of the two official languages. Consequently, when chairing such meetings, Departmental employees must ensure that:

- The agenda and minutes are published in a bilingual format, or include some items in English and others in French, or - in the case of a series of meetings - alternate between English and French;
- Working documents and drafts are distributed in the official language of the author's choice;
- Participants may use the official language of their choice during the meeting;
- Provisions are made to allow unilingual individuals to participate. For example, if there are plans to use simultaneous interpretation during the meeting, the necessary equipment must be provided in the meeting room. Moreover, several days before the meeting, the interpreters should be sent all relevant documentation in both official languages.

This policy applies to meetings of departmental management committees, internal meetings, interdepartmental committee meetings, working groups and special committees chaired by Departmental employees. It also applies to meetings organized at the national level.

5. Personal Services

Services that affect employees personally shall be provided to employees in bilingual regions in the official language of their choice, notwithstanding the language requirements of their positions. Personal services are provided on an individual basis and include personnel, pay, counselling, library, security, information and medical services.

In unilingual regions, these services shall generally be provided in the official language spoken by the majority of the population.

6. Central Auxiliary Services

The services that employees require to enable them to carry out their duties shall be provided to employees in bilingual regions in the official language of their positions. Central auxiliary services include administrative, purchasing and supply, financial, material, property, forms and record management, data processing, legal, library, information, and translation services.

In unilingual regions, these services shall generally be provided in the official language spoken by the majority of the population.

7. Supervision

As of March 31, 1998, all members of the Executive Group (EX) in the Management Category who occupy bilingual positions in bilingual regions must attain level "C" in written comprehension and oral interaction. However, the minimum requirement for entry into the EX Group remains level "B".

In bilingual regions, the language requirements of subordinate positions determine the language requirements of a given supervisory position. Thus:

- Where some of the subordinate positions are bilingual, a combination of English essential and French essential, or "either/or", the supervisor's position must be designated bilingual.
- Where all subordinate positions are English essential, the supervisor's position may be designated English essential.
- Where all subordinate positions are French essential, the supervisor's position may be designated French essential.

In other regions, supervision must be provided in the official language spoken by the majority of the population of the province in which the office is located.

7.1 Performance Appraisals

In bilingual regions, incumbents of bilingual positions must be evaluated in their first official language, unless they specify otherwise.

In all other circumstances, the Department encourages supervisors to complete performance appraisals in the employee's first official language when possible.

8. Filing and Settling of Grievances

Employees have the right to file grievances and have them settled in the official language of their choice, regardless of the location of their work unit or the language requirements of their position. Therefore, there must be an adequate bilingual capacity at each level of the grievance process.

9. Job Descriptions and Statements of Qualifications

Descriptions of bilingual positions need be translated only when the position in question is subject to a staffing action. The "Request for Personnel Action" form must accompany the translation request.

In cases where a bilingual position is not subject to a staffing action, an incumbent who wishes to obtain the job description in his/her first official language must make the request in writing and attach it to the translation request.

All statements of qualifications must be available both in English and in French.

10. Staffing Bilingual Positions

When interviews are used in the staffing process for a bilingual position, each member of the selection committee must be able to communicate effectively with all candidates without the use of an interpreter.

Exams, tests and interviews designed to evaluate candidates' abilities, with the exception of their linguistic abilities, must be given in the official language of the candidate's choice.

11. EDP Systems

In bilingual regions, regularly and widely used automated systems, including software packages and accompanying documentation, which are acquired or produced as of January 1, 1991, can be used by employees in either official language.

12. Work Instruments

12.1 Definition

Work instruments are documents such as manuals, bulletins, directives, circulars and memoranda which employees require to perform their duties.

12.2 Availability

In bilingual regions, documentation and material in everyday general use which is produced by the Department or on its behalf must be provided to employees in both official languages.

Elsewhere, as a general rule, work instruments must be available in the official language(s) dictated by the language requirements of the positions of the employees who use these instruments.

12.3 Distribution

Work instruments available in English and French must be distributed simultaneously in both official languages.

13. Forms and Stationery

All forms used by the Department are subject to the Federal Identity Program and must be bilingual.

This applies to all forms including envelopes, letterhead, form letters, business cards, tab cards, labels, tabs, and ledger sheets.

14. Studies and Written Work

Studies conducted by employees of the Department or outside consultants which require the participation of anglophone and francophone employees must be carried out in both official languages.

Reports on these studies must be available in both official languages when they are to be used as work instruments by employees occupying bilingual positions or a combination of English-essential and French-essential positions.

Managers must make the necessary provisions to allow employees who occupy bilingual positions to prepare written work such as briefs, reports, briefing notes and policy development papers in the official language of their choice. However, these items must be distributed simultaneously in both official languages, especially when they are required to serve the public, when they bear directly on individual health or safety issues, or when it is foreseen that they will be used for a long period of time or receive widespread distribution.

15. Translation

Within the Department the Director of the Official Languages and Training Branch has been given responsibility for coordinating translation services.

Managers must ensure the cost-effective and productive use of translation services by controlling the requirement for these services.

The document entitled **Translation Policy and Guidelines** provides more details on this subject.

16. Library

Since the library must allow employees to carry out research on the same range of subjects in either official language, its catalogue is bilingual. Managers and employees also suggest work-related reference books in English and French to complete the Departmental collection. The library will continue to develop its collection.

17. Training

17.1 Job Training and Professional Development

Job training and career development courses must be available in both official languages and be offered to employees in the official language of their choice, regardless of their work location or the language requirements of their position.

17.2 Language Training

Language training is available to all employees of the Department regardless of their work location or the language requirements of their position. However, certain criteria must be met in this regard.

18. Bilingualism Bonus and Confirmation of Eligibility

18.1 Bilingualism Bonus

The bilingualism bonus is a sum of \$800.00 paid to employees who meet the language requirements of their bilingual position.

The following are not eligible: members of the Executive Group (EX) in the Management Category, employees who continue to receive the frozen ST bilingual differential, individuals appointed by the Governor-in-Council, individuals who work a third or less of regular time, individuals hired on a temporary basis for a period of six months or less, and individuals hired on the basis of professional or personal services contracts.

18.2 Confirmation of Eligibility

Any employee is eligible for the bonus under the following conditions:

- The employee occupies a bilingual position;
- The employee's results on the Second Language Evaluation (SLE) confirm that he/she satisfies the language requirements of the position (or in the case of a professional requirement - code P - satisfies the requirements at the time the position is staffed).

18.3 Period of Validity

The basic period of validity for the SLE is three years. The SLE is valid for five years when individuals who are re-evaluated on expiry of the basic period maintain the same level of linguistic ability. These individual's results will continue to be valid for a five year period, as long as, when evaluated, they maintain the same level of proficiency.

18.4 Negative Results on the SLE or Refusal to Take the SLE

During confirmation of the bonus, an employee who fails to demonstrate during an SLE that he/she satisfies the language requirements of his/her position is allowed to remain in the position. The responsible manager must make the necessary administrative arrangements to ensure the provision of bilingual services. The employee must continue to provide services in the second language to the best of his/her ability. Nevertheless, the employee ceases to receive the bonus two months after receipt of written notice to this effect.

18.5 Reestablishing the Bonus

An employee who fails to demonstrate during an SLE that he/she satisfies the language requirements of a bilingual position can become eligible for the bonus again. If the employee demonstrates during a subsequent SLE that he/she now satisfies the requirements, he/she will receive the bonus as of the date on which it is confirmed that the language requirements of the position are met.

19. **Vested Interests of Incumbents of Unilingual Positions Reidentified as Bilingual, or of Bilingual Positions for which the Required Proficiency is Raised**

In such cases, the incumbents may elect to:

- Request to undertake language training in order to meet the new language requirements of the position;
- Remain in the position without meeting its new language requirements while continuing to offer service in both official languages to the best of their ability; or

- Request a transfer to a position for which they are qualified and for which they meet the language requirements.

20. Rights and Obligations of Incumbents Following a Reorganization, a Layoff and Certain Leaves of Absence

In such cases, employees retain all the linguistic rights and obligations of the previous position in their new position, if the new position is of an occupational nature and level similar to the former position.

CHAPTER 5

ORDER OF OFFICIAL LANGUAGES IN WRITTEN COMMUNICATIONS

In all written communications, English and French texts must be of comparable quality and the two official languages must have equal visual prominence.

1. Departmental Identification

1.1 In Offices

French appears to the left or above the English in offices located in Quebec, including Headquarters, while English appears to the left or above the French in offices located in the other provinces.

1.2 In Newspapers

When the Departmental identification appears in a unilingual English or French newspaper, the official language of the newspaper determines the order of the official languages. French appears to the left of the English in unilingual French newspapers, and English appears to the left of the French in unilingual English newspapers.

2. Official Languages Symbol

There are two versions of the symbol, depending on the order of the official languages. In accordance with Chapter 470 of the **Administrative Policy Manual**, the word "Français" is given priority in Quebec, and the word "English" is given priority in the other provinces.

3. Documents Intended for the Public

When information can be effectively transmitted in a bilingual format, a side-by-side presentation may be used. In this case, the order of French and English depends on the language spoken by the majority of the population in that province. In Quebec, French appears to the left of the English, and in the other provinces, English appears to the left of the French.

It is also possible to use a tumble or back-to-back bilingual format.

Finally, separate versions may be prepared and published. However, when separate versions are issued, each must indicate that the other is available and the two versions must be distributed simultaneously.

4. Work Instruments

In general, French and English texts should appear side-by-side on the same page. In the case of work instruments issued by Headquarters or other offices located in Quebec, French text should appear on the left-hand side of the page. In the case of work instruments produced by offices located in the other provinces, the English text should appear on the left-hand side of the page.

If the texts cannot be published side-by-side, they may be presented in a back-to-back or tumble format, or separate versions may be produced, provided that the two versions are distributed simultaneously and each indicates that the other is available.

When the back-to-back format is used for a text of more than one page, the French text should appear on the first page of work instruments produced by Headquarters and other offices located in Quebec, while the English text should appear on the first page of work instruments produced in offices in the other provinces.

5. Forms

English appears to the left or above the French on all forms.

6. Stationery

The order of the official languages depends on the language spoken by the majority of the population in the province in which the office is located.

7. Business Cards

The employee chooses the order in which the English and French appear on business cards.

CHAPTER 6

FULL PARTICIPATION

1. General

The Department's official languages objectives cannot be completely achieved without the full participation of both English-speaking and French-speaking Canadians.

2. Commitments

The Department ensures that:

- English-speaking and French-speaking Canadians have equal opportunities for employment and advancement, regardless of ethnic origin or first language learned; and
- The Departmental work force tends to reflect the presence of both official language communities in Canada, taking into account the Departmental mandate, the public it serves and the location of its offices.

3. Implementation

Consistent with the merit principle, the availability of resources and Treasury Board policies, the Department shall take all measures to increase Anglophone and Francophone participation in occupational categories and groups and regions within the Department to reflect appropriate representation from each language group.



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