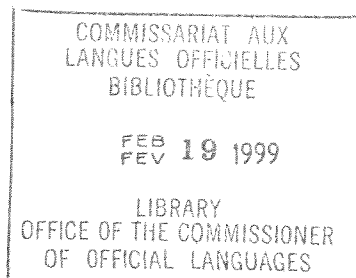


**FOLLOW-UP ON SPECIAL STUDY OF  
FEDERAL OFFICES DESIGNATED  
TO RESPOND TO THE PUBLIC  
IN BOTH ENGLISH AND FRENCH  
IN THE NATIONAL CAPITAL REGION**

*Office of the Commissioner of Official Languages*  
<http://ocol-clo.gc.ca>





## TABLE OF CONTENTS

### SUMMARY

<b>A)</b>	<b>INTRODUCTION</b> .....	- A1 -
1.	Background .....	- A1 -
2.	Objectives .....	- A3 -
3.	Scope, methodology and limits .....	- A3 -
<b>B)</b>	<b>GENERAL OBSERVATIONS</b> .....	- B1 -
1.	Signs and documentation .....	- B1 -
2.	Active offer .....	- B2 -
	a) Signs .....	- B3 -
	b) Greeting on the telephone and in person .....	- B4 -
3.	Service .....	- B6 -
	a) Availability of service in the minority language on the telephone ..	- B6 -
	b) Availability of service in the minority language in person .....	- B7 -
	c) Quality of service and courtesy in the minority language .....	- B8 -
	d) Comparability .....	- B8 -
4.	Two-language capability of offices in the NCR .....	- B9 -
5.	Informing managers and employees of their official languages obligations	- B10 -
6.	Conclusion .....	- B11 -

**Appendix A - 1994 Recommendations**

**Appendix B - Glossary**



## SUMMARY

This report is a follow-up on the study that we undertook in 1994 to determine the extent to which federal offices which are designated bilingual provided good quality services in English and in French. It deals with the situation in the National Capital Region (NCR). Its purpose is to determine if the recommendations made in 1994 brought results and to correct effectively any deficiencies in the offices in questions.

In light of the recommendations made in 1994 and the action plans federal institutions prepared in response, the overall results are encouraging. In the NCR, it is relatively easy to obtain consistent quality services in both official languages over the telephone or in person. Thus, during the follow-up, it was found that telephone services in both official languages were available in 97% of cases, while services in person were available in 92% of the offices visited. The overall two-language capability of offices in the NCR improved significantly, going from 74% to 92% during this period. The delivery of service in French in Ontario in offices serving the local population showed a significant improvement. As for headquarters offices and those of major national institutions already providing services in English and in French in 98% of cases in 1994, their performance was maintained.

The proportion of offices displaying the symbol for service in both languages has increased from 51% to 80%. The level of greetings in both languages on the telephone remained constant, in comparison to the initial study, at 81%. The only problem is that the percentage of offices providing two-language greeting in person has declined from 56% in the initial 1994 study to only 41% at the time of the current report. Federal institutions must take effective measures to remedy this shortcoming which has continued for too long.



## A) INTRODUCTION

### 1. Background

The new *Official Languages Act* (OLA) came into effect on September 15, 1988. Under the OLA, every federal institution has the duty to ensure that members of the public can communicate with and obtain services from its central office in English or in French, and has the same duty with respect to offices located within the NCR, in areas where there is significant demand, or when warranted by the nature of the office.

Treasury Board Secretariat (TBS) published the Official Languages Regulations - Communications with and Services to the Public (the Regulations) on December 16, 1991. The Regulations define the terms "significant demand"\* and "nature of the office"\* and establish general and specific rules governing their application. Federal institutions are required to designate the offices that must provide services in both official languages, based on the Regulations. TBS coordinated the process and compiled a list of designated points of service. The purpose of the OLA and the Regulations is essentially to ensure the availability of services in either official language where a need exists and to enable the public to obtain services in the language of their choice.

In 1994, the Commissioner of Official Languages (COL) undertook a study to determine the extent to which federal institutions were complying with the provisions of the OLA and the Regulations. In his report (A Study of Federal Offices Designated to Respond to the Public in both English and French) released on March 15, 1995, the COL found that services were available in both official languages in 79% of the designated offices (98.8% in Quebec and 72% on average in the other provinces and the territories), with variations from one province to another. The COL also made ten recommendations to improve service delivery in both official

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\*More information on this can be found in the Glossary in Appendix B.

languages at designated offices. These recommendations are listed in Appendix A. It should be noted that on March 17, 1995, TBS asked federal institutions to analyse the two-language capability of each office that is required to serve the public in both official languages. Institutions were also to draw up action plans for offices with unsatisfactory performance and report to TBS on their implementation. This exercise was completed in March 1996.

The present study fulfills the COL's commitment to follow up on the implementation of the recommended corrective measures. Starting in the fall of 1996, this follow-up is being conducted region by region over a three-year period. Separate reports will be prepared for each province and territory as well as for the NCR. Proceeding in this manner will enable us to identify each linguistic community's specific problems, inform the federal institutions of the situations concerning the delivery of their services in English and French and find solutions adapted to local and regional needs. Each report will enable the federal institutions involved to immediately correct shortcomings in service to the public in both official languages. This report deals with the NCR.

It should be borne in mind that the COL also specified in his study on points of service that "it should be possible to attain 100% effectiveness in two-language service to the public, where numbers warrant, which is the only figure that can be considered acceptable and satisfactory."

In view of the recommendations that the COL made in 1994 and the action plans prepared by federal institutions at TBS's request, we were expecting that all federal offices designated bilingual would have taken measures to ensure the provision of service in both official languages in the NCR. We were expecting, however, to find occasional lapses, since the complaints we continue to receive show that the quality of services is inconsistent.



## **2. Objectives**

Following the COL's recommendations, federal agencies made a commitment to take the required measures to ensure that services are provided in both official languages at their designated offices. This is, after all, a formal requirement under the OLA and the Regulations.

The purpose of the follow-up is to determine whether there has been improvement since 1994 and to assess the extent to which services of good quality are offered and available in both official languages in these offices. Another goal is to efficiently correct any deficiencies in the offices under inquiry.

## **3. Scope, methodology and limits**

Under the OLA, all federal offices that offer services to the public in the NCR must do so in both official languages.

When choosing the offices to be included in the follow-up, we took into account the nature of the institutions providing services to the public in the NCR. We selected from among offices serving the local population, head offices and national institutions. We also visited administrative offices which normally do not receive any clients in person but communicate with the public by telephone or in writing.

To evaluate the availability of service, our auditors chose the client approach; that is, they acted like English-speaking or French-speaking members of the public of the NCR trying to obtain service in their language. They therefore made their requests for service in French in Ontario, and if the employee replied in English without directing them to a bilingual employee, the auditors marked that services were not available in French. In Quebec, they made their requests for service in English and if the employee replied in French without directing them to a bilingual employee, the auditors marked that services were not available in English. They generally did not

insist that the organization find someone who could serve them in French, in Ontario and in English, in Quebec.

To begin with, they checked whether telephones were answered in both official languages and whether services were actually available in the target language (English or French) at the numbers listed for this purpose in the Government of Canada section of the local telephone directories. They also compared the numbers in the telephone directories with those on the TBS list to identify any discrepancies.

They made at least two telephone calls to each office. They then observed whether the greeting was in both languages and whether service was provided in the target language (English or French) consistently, occasionally or not at all. When they were greeted in both languages and obtained service in the target language on each call, our auditors indicated that two-language greeting and service in the target language were consistent. When the greeting was sometimes in two languages and sometimes in only one, or when service was not available in the target language on each call, they indicated that two-language greeting and service in the target language were available occasionally. When, on each call, the greeting was in only one language and service was available only in that language, they indicated that there was no two-language greeting and no service in the target language, whether in English or in French.

The auditors visited offices which provided service in person to check signs, documentation, greeting and the availability of service in French in Ontario and service in English in Quebec. They met the manager to inform him or her of the results of their audits. When they found shortcomings, they informed the manager of the recommendations which would be included in the COL's report. They also told managers that any corrective action taken before the audit report was published would be noted in the report.

As for limits, it should be noted that in the 1994 study the statistical data were weighted\* and the results for the NCR were valid within a limit of 5 %. The data from the follow-up have not been weighted and are intended only to describe the situation in the offices visited.

The follow-up in the NCR took place in two stages: a number of offices were visited in the autumn of 1997, while the remainder were audited in 1998. Given the period of time that elapsed between the two stages of the project, a data validation exercise was added to the methodology to enhance the quality and reliability of the information. Thus, in the autumn of 1998, each office that had been audited in 1997 or in 1998 received a detailed report of the auditors' observations. The manager responsible for the office was invited to comment on the findings regarding the delivery of services in both official languages and to indicate, if applicable, what measures had been taken to correct any shortcomings identified.

Considering the positive results of the follow-up and the fact that each of the offices visited during the follow-up has already received a detailed report of the auditors' observations, the present report does not include a description of the situation observed at each office. We would like to congratulate the NCR's federal institutions on their promptness in taking steps to ensure that the provisions of the OLA are respected, as well as on their commitment to offering a high quality two-language service in each of their offices. The purpose of the recommendations contained in this report is to encourage federal institutions in the NCR to remedy any shortcomings identified and to improve, where necessary, the quality of services offered in both official languages. Also, members of the public can inform us of any shortcomings they encounter at an office designated to provide services in both official languages. These would be investigated through the normal complaints handling process.

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\*More information on this can be found in the Glossary in Appendix B.

## B) GENERAL OBSERVATIONS

In our 1994 study, we audited 101 designated offices in the NCR. In the follow-up, we examined 49 offices.

The following pages present general observations on the offices of federal institutions which were included in the follow-up in the NCR. The findings give a portrait of the situation in these offices, which are designated to serve the public in both official languages, and enable us to make a comparison with the situation reported in the 1994 study.

### 1. Signs and documentation

Most of the material elements related to the delivery of services in both official languages have improved, with the exception of external signage, which was not entirely satisfactory in some offices. The presence of locally made signs in only one language was noted at some locations. Internal signs were in both official languages in 97% of the offices, compared to 73% in 1994. Moreover, as was the case in 1994, all federal offices in the NCR provided the public with documentation and forms in both official languages.

**Table 1**

<b>Materials Available in Both Official Languages</b>		
<b>Type of material</b>	<b>1994 study</b>	<b>1998 follow-up</b>
<i>Exterior sign</i>	94 %	92 %
<i>Interior sign</i>	73 %	97 %
<i>Documentation</i>	100 %	100 %
<i>Forms</i>	100 %	100 %

## **Recommendation 1**

**The Commissioner of Official Languages recommends that federal institutions in the NCR ensure, if need be and no later than two months after the publication of this report, that all external and internal signs are in both official languages so as to project the image of offices which provide service in English and in French.**

### **2. Active offer**

Under Section 28 of the OLA, federal institutions are required to provide their clients with a choice of the official language in which they wish to communicate by ensuring that “appropriate measures are taken, including the provision of signs, notices and other information on services and the initiation of communication with the public, to make it known to members of the public that those services are available.” Therefore, the onus is not on members of the public to request or demand service in their language. On the contrary, the intent of the law is that federal institutions should invite members of the public to choose the official language in which they wish to communicate with them.

The perception that members of the public have of the availability of service in their language depends largely on the effectiveness of measures related to signs and greetings, on the telephone and in person, in both languages.

In 1994, we evaluated the quality of measures taken to encourage clients to choose the language in which they wished to be served. This evaluation was based in part on the presence or absence of relevant signage, but also on whether employees did or did not use a greeting formula which would indicate to members of the public that they could be served in either language. A third element of the evaluation was the attitude shown by staff to a request for service in the language of the local linguistic minority. In 1994, the measures intended to promote the use of services in both languages in the NCR were satisfactory or better in 74% of cases.

In the follow-up, we limited ourselves to observations on whether or not a two-language greeting was used on the telephone and in person, and on the presence or absence of signs telling clients that they could be served in English or in French.

**a) Signs**

A sign is often the only indication the public has that an office is designated to provide service in English and in French. A pictogram or sign is therefore essential. Since 1988, official languages policies have required that institutions whose employer is the Treasury Board use the TBS's official symbol (see left), and other institutions have been required to use this or an equivalent symbol.



In 1994, 51% of designated offices in the NCR displayed a sign (pictogram) indicating that service was available in English or in French. At the time of the follow-up, 80% of the offices visited were displaying the TBS's pictogram or an equivalent symbol. This is a noteworthy improvement. However, we find it difficult to understand why seven designated offices still do not display an appropriate symbol, nine years after the TBS made its pictogram available to them.

**Table 2**

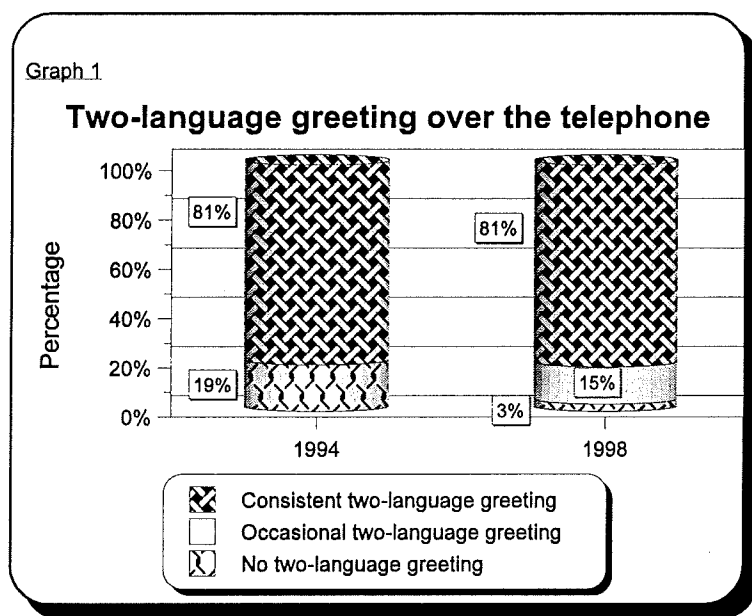
<b>Signs on the Availability of Service in Both Official Languages</b>		
<i>Board or poster</i>	<i>1994 Study</i>	<i>1998 Follow-up</i>
Present	51%	80%
Absent	49%	20%

## Recommendation 2

The Commissioner of Official Languages recommends that federal institutions in the NCR ensure, if need be and no later than two months after the publication of this report, that their offices display the TBS pictogram or an equivalent symbol to indicate to the public that they offer service in both official languages.

### b) Greeting on the telephone and in person

At the time of our 1994 study, employees in federal institutions in the NCR used a two-language



greeting on the telephone in 81% of cases. During the follow-up, the situation was identical. Employees used a two-language greeting consistently on the telephone in 81% of cases. They used a two-language greeting occasionally in 15% of cases. They did not use a two-language greeting in only 3% of cases. More frequent reminders on the part of managers on the importance of consistently greeting

the public in both official languages would rapidly improve the situation.

**Active offer in person is still inadequate.**

In 1994, there was a two-language greeting in person in 56% of cases. During our recent survey, a two-language greeting was provided in only 41% of offices visited. Even if this is the highest level of compliance with this provision of the OLA in relation to the other regions examined to date, it is still unsatisfactory, all the more so since it represents a

decline in relation to the situation observed in 1994. All managers of federal offices in the NCR must take concrete measures to correct this deficiency that has gone on too long.

When federal employees do not actively offer a choice of language, members of the public are inevitably discouraged from exercising their language rights. In our experience, when members of the public are not clearly encouraged to choose the language of service, the level of demand in the minority language declines significantly.

It should also be noted that citizens often feel at a disadvantage when they deal with federal employees because public servants personify authority, have a better knowledge of the service the client needs and control access to those services. It is even more important for clients to be invited and encouraged to choose the language of service when they deal with institutions responsible for law enforcement, or with institutions providing financial assistance.

Active offer, in short, is an essential component of good service. The use of signs and a greeting in both languages to indicate that services are available in either language is as indispensable to good service as common courtesy.

### **Recommendation 3**

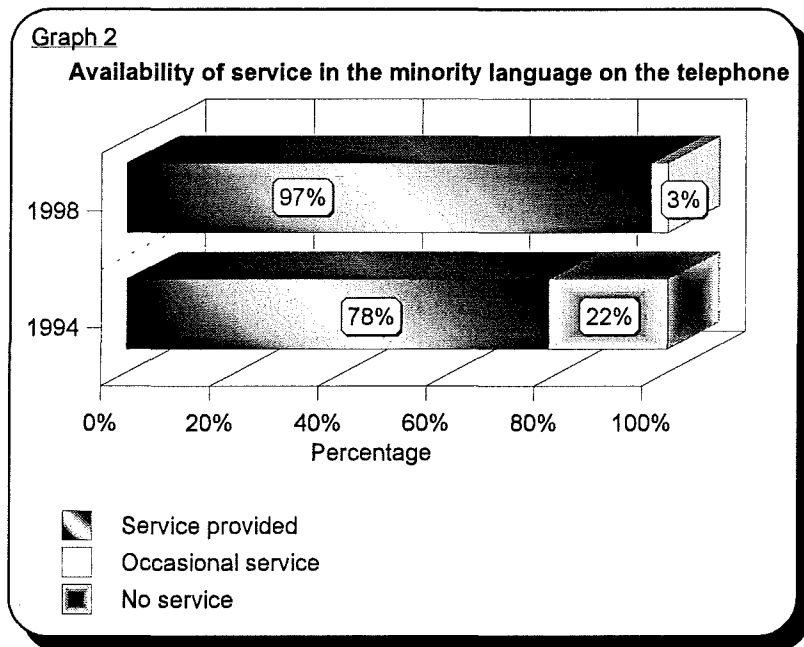
**The Commissioner of Official Languages recommends that federal institutions in the NCR ensure, if need be and no later than two months after the publication of this report, that employees who answer the telephone and who meet members of the public consistently use a greeting in both official languages in order to invite the public to communicate with them in English or in French.**



3. Service

a) Availability of service in the minority language on the telephone

During the 1994 study, telephone receptionists at bilingual offices in the NCR provided service in the minority language in 78% of cases. Our report at the time pointed out that this weighted

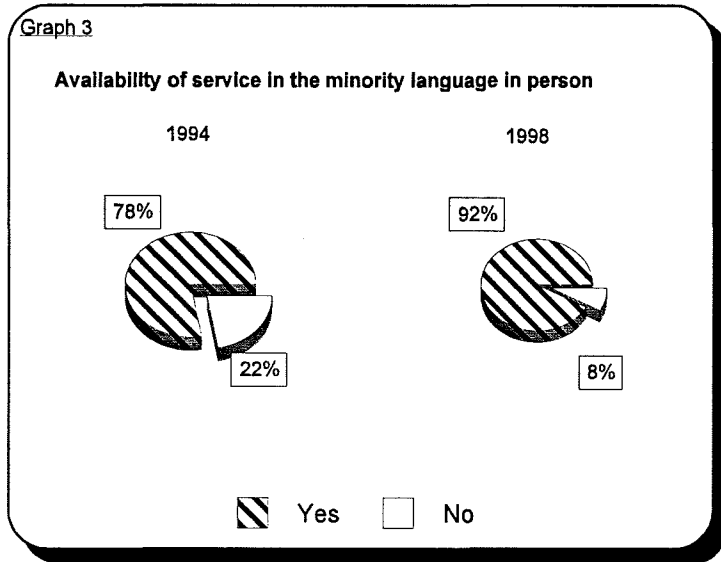


percentage did not fully reflect our experience, since in most of the offices visited the auditors reported having been served in the minority language. The service points where shortcomings were reported were mainly offices serving the local population in Ontario. The follow-up shows, however, that the situation has improved significantly in this regard.

The receptionists provided service in the minority language consistently at 97% of the offices investigated in the NCR. In 3% of the cases, service in the minority language was still provided one out of two times. We also noted that head offices and national institutions continued to offer a high quality service in both official languages.

This significant improvement in the availability of service in the minority language on the telephone in the NCR can be explained basically by the improvement in the two-language capability of several small Ontario offices serving mainly the local population.

**b) Availability of service in the minority language in person**



The follow-up shows that delivery of service in the minority language in person has greatly improved in recent years in the NCR. Service in the minority language was obtained in 92% of the offices visited, compared to 78% during the initial study. This is significant progress. Federal offices serving the local population in Ontario have greatly improved the delivery of service in French. Head offices and national institutions, for

their part, continued to provide excellent service in both official languages, as they did in 98% of cases in 1994.

The fact remains, however, that all offices offering services in person in the NCR must provide them in both official languages at all times. Although the vast majority of federal offices in the NCR rated highly in the delivery of in-person services in both official languages, we would like to make the following recommendation to those offices at which deficiencies were identified in this respect.

**Recommendation 4**

**The Commissioner of Official Languages recommends that federal institutions in the NCR ensure, if need be and no later than two months after the publication of this report, that their offices are able to provide services in person in both official languages, at all times.**

**c) Quality of service and courtesy in the minority language**

When service was provided in the minority language, the auditors assigned one of three ratings (“very good,” “satisfactory” or “poor”) to it by evaluating employees’ ability to communicate comprehensibly in the target language (English or French). In 1994, the overall evaluation of service provided in the minority language (including telephone and in-person service) was satisfactory or better in 94% of the points of service visited in the NCR.

At the time of our follow-up, the quality of the service provided in the minority language on the telephone was rated satisfactory or better in 95% of cases. The linguistic quality of service in person was judged satisfactory or better at 92% of the points of service that provided service in person. We can conclude that federal offices in the NCR generally offer good quality service in both official languages.

With regard to courtesy, almost all offices visited (94%) or contacted by telephone by our auditors offered courteous service.

**d) Comparability**

The comparability between service provided in English and that offered in French was judged “very good” when the employee immediately provided our auditor with the service requested in the minority language. As another example, an office was rated “satisfactory” when the employee was able to provide adequate service in the minority language after, in some instances, asking our auditor to speak more slowly.

The service was rated “poor” when it was necessary to insist that the employee at the counter call on a bilingual colleague to provide the service in the minority language.

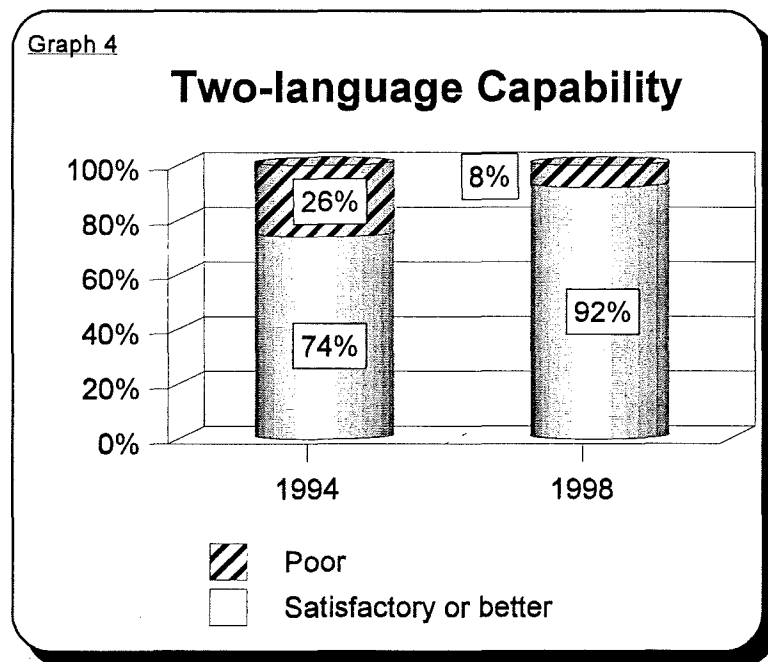
During the follow-up, our auditors estimated that the services provided on the telephone and in person in the minority language were generally comparable to those provided in the majority

language in 89% of cases for service in person and 87% of cases for service on the telephone. It was found, therefore, that there was still room for improvement at federal offices in the NCR in the overall quality of services provided to the public to make them fully comparable in both official languages. It should be noted in particular that transfer of calls from the public should be done in the language chosen by the caller. The same principle applies for service in person when an employee is not able personally to provide a service in the language chosen by the member of the public.

### Recommendation 5

The Commissioner of Official Languages recommends that federal institutions in the NCR take steps, if need be and no later than two months after the publication of this report, to improve the quality and comparability of service in both official languages, specifically for the transfer of calls and when directing members of the public to personnel who are able to provide the service required in both official languages.

#### 4. Two-language capability of offices in the NCR



The auditors evaluated the two-language capability of a point of service by considering the following two factors: whether or not the office had enough bilingual staff to provide good quality service in both languages consistently, and whether or not these resources were assigned to positions and work shifts effectively. In 1994, the capability to provide service in English and

in French was rated satisfactory or better at 74% of the offices. The report emphasized, however, that 98% of head offices had sufficient bilingual resources, whereas the small offices serving the local population in Ontario obtained only a rating of 57% in this regard.

The follow-up shows that federal offices in the NCR have clearly improved their capacity to provide services in both official languages. The two-language capability of all the offices in the NCR increased to 92% during the follow-up. In this regard, our auditors noted that several small offices, especially those of Canada Post Corporation (the Corporation's own or franchised offices), had personnel who could provide service in both languages.

The few offices in the NCR which had insufficient two-language capability to provide service in both languages undertook, during our auditors' visit as well as in the data validation exercise with the managers, to remedy the deficiencies identified. In some cases it was only a matter of making managers aware of how to make better use of the two-language capability already available. This was especially the case at offices functioning by shifts and where bilingual employees were not effectively distributed among the various shifts. Despite the very good two-language capability of most federal offices in the NCR, we would like to direct the following recommendation to the small number of offices that fall short of the requirement in this area.

#### **Recommendation 6**

**The Commissioner of Official Languages recommends that federal institutions in the NCR ensure, if need be and no later than three months after the publication of this report, that their offices have sufficient bilingual resources to offer services in both official languages at all times.**

#### **5. Informing managers and employees of their official languages obligations**

In our 1994 study we found that 84% of managers and employees of designated offices in the NCR were well informed about their linguistic obligations. At the time, we interviewed a

considerable number of managers and employees. In our follow-up, we met mainly with managers. We found that 95% of the personnel of designated offices were well informed about their linguistic obligations. This constitutes significant progress in this regard. Services obtained in the minority language indicate that employees are fully aware of their linguistic obligations.

## **6. Conclusion**

In general, we are satisfied with the results obtained for the NCR. We anticipated a marked improvement in the situation since our 1994 report. Our findings show that, on the whole, most of the problems identified in that study have been corrected, except for greeting in both official languages which continues to present a problem especially as regards service in person.

We would urge TBS and the federal institutions to take the necessary steps to ensure that all offices in the NCR provide good quality services in both official languages, including two-language greeting on the telephone and in person.

### 1994 Recommendations

In the report entitled "A Study of Federal Offices Designated to Respond to the Public in Both English and French" the Commissioner recommended that:

- Federal offices designated to provide service in both official languages review the language of signs posted inside their premises to ensure that all signs are in both official languages.
- Designated offices post signs, preferably the standard TBS pictogram, indicating that service is available in English and French.
- Federal institutions review the number and the deployment of bilingual staff in offices which are designated to provide service in both official languages to ensure that they have adequate human resources to provide good quality service.
- Institutions and central agencies develop and adopt effective means of informing members of the public that they have a choice of language when communicating with or receiving services from federal institutions.
- Institutions which designate toll-free telephone numbers to provide service to the public in both languages ensure that an adequate number of bilingual staff are on hand at all times to guarantee service in both official languages.
- Federal institutions review the deployment of their bilingual staff, particularly those working in offices which are not required by the regulations to provide services in both official languages.
- Where appropriate, federal institutions establish in offices which have no official languages obligations an effective system to refer clients who require services in the other official language to designated offices.
- The TBS establish a process to periodically review and update the list of designated points of service to ensure that all information is current.
- The TBS ensure that the public is informed of the location of designated offices.
- Institutions ensure that all managers of designated offices and front-line staff are informed of their responsibilities.

## Glossary

- **significant demand**

After conducting a widespread consultation of institutions and the public, TBS published the Official Languages (Communications with and Services to the Public) Regulations (the Regulations) on December 16, 1991. The Regulations define the expression “significant demand” and establish the rules for its application.

The general rules relating to **significant demand** are based on the demographic data from census units: the size of the linguistic minority (above a certain threshold) served by an office or a point of service, the characteristics of that population and the proportion of the region’s population that it represents.

- **weighting**

When a probability sample survey is used (as was the case for the 1994 study), each unit chosen represents a certain number of other units within the population; in order to express this representation, each unit of the sample is weighted. For example, if we choose five points of service at random out of a total population of 30 points of service, each of the five units chosen thus receives a weight of six, and we assume that it represents six points in the population.

For the purposes of this follow-up to the study on the points of service, all the offices chosen have the same weight: a weight of one. Consequently, the results of the survey represent all the audited points of service and not all the designated two-language points of service in the NCR.

- **key services**

The Regulations established that certain federal institutions provide services deemed essential to the minority population. In census metropolitan areas where the English or French linguistic minority population has fewer than 5,000 persons and in census subdivisions where the minority population is at least 500 persons and represents less than 5% of the population of the subdivision, these institutions must offer services in both official languages if they are the only office of the federal institution within the region or subdivision to offer any of the following services:

- services related to income security programs
- services of a post office
- services of an employment centre (now called a human resources centre)
- services of an office of Revenue Canada (Taxation)
- services of an office of the Department of the Secretary of State of Canada (now called Canadian Heritage)
- services of an office of the Public Service Commission



- **nature of the office**

After conducting a widespread consultation of institutions and the public, TBS published the Official Languages (Communications with and Services to the Public) Regulations (the Regulations) on December 16, 1991. The Regulations define the expression “nature of the office” and establish the rules for its application.

The rules on the **nature of the office** relate to the services that affect public health or safety or that, as a result of the office’s location or mandate, require services in both languages. These include offices of federal institutions located in national parks and national historic parks (including one post office in each park).

