

**SERVICE TO THE PUBLIC**

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

**NOVEMBER 1998**



## Summary

In 1994, the Commissioner of Official Languages (COL) conducted a study of federal offices designated to respond to the public in both English and French. The study showed that, on the whole, the situation left a great deal to be desired. The COL made ten recommendations to improve the provision of service in the two languages.

In 1996, we began a follow-up on this study to determine whether there had been improvement and whether the COL's recommendations had been implemented. After auditing 207 offices and preparing separate reports on the situations found in six regions (Newfoundland, Prince Edward Island, New Brunswick, Manitoba, Saskatchewan and Yukon), we decided to issue a compilation of the general trends observed to date. The objective of this report is to urge the Treasury Board Secretariat (TBS) to take vigorous measures immediately to ensure that all designated offices meet their linguistic obligations.

Of the 207 offices visited, some still did not have all the elements required to provide service in both official languages. Thus, many of the problems brought to light in the earlier study persist. With regard to the physical elements that serve to inform the public that service is available in both languages, we noted an improvement in the presence of bilingual interior signage and of the TBS pictogram. However, we found slippage with regard to the presence of bilingual exterior signage and bilingual forms and documents available to the public.

Two-language greeting on the telephone has improved, from 49% during the study to 57% at the time of the follow-up. However, service in French on the telephone is much less readily available than in 1994, having slipped from 71% to 58%. Two-language greeting in person remained steady at around 20%. Although service in person has improved significantly, increasing from 59% during the study to 71% in the follow-up, the fact remains that service in French in person is not available in nearly 30% of offices designated to provide service in English and in French, five years after the implementation of the Regulations on service to the public.

Based on our evaluation of the situation, barely 59% of designated offices have enough qualified bilingual employees to adequately provide the full range of services in both languages. In offices visited, 21 had no two-language capability on site, while 45 others still had to rely on a single bilingual employee to provide service in French.

Information provided to the public about the location of designated points of service still leaves something to be desired, and telephone directories are not used effectively by federal institutions to inform the public of the language or languages in which services are provided. Similarly, the list of designated offices compiled by the TBS with the assistance of the institutions is deficient. Of the 207 offices we visited, 46 (22%) were incorrectly listed.

Following the 1994 study, the TBS had asked federal institutions to prepare action plans for correcting the deficiencies identified. The institutions prepared the required plans, but the TBS did not exercise the necessary level of monitoring. The TBS must strengthen its monitoring and auditing role if it wishes to rectify the situation, and the institutions must be truly accountable for results.

During the follow-up we noted a reduction of some 23% in the number of federal offices designated to provide service in both official languages in the regions we visited. The explanations provided to date by the TBS, while reassuring, have not succeeded in dissipating completely our concerns about the negative impact this reduction, which varies in size from region to region, could have on the quality of service provided to the official language minority communities across the country.

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## **I. Background**

In 1994 the COL conducted a *Study of Federal Offices Designated to Respond to the Public in Both English and French*. The study showed that, on the whole, the situation left a great deal to be desired. We concluded that satisfactory service in the desired language was available in 79% of cases. Outside Quebec, the availability of service in French was satisfactory in only 72% of cases. A major deficiency found across the country was the lack of active offer. The COL made ten recommendations to all the federal institutions subject to the *Official Languages Act* (OLA) to improve the provision of service in the two languages.

In the fall of 1996, we began a follow-up on this study to determine whether there had been improvement since 1994 and whether the COL's recommendations had been implemented. The follow-up, which is being conducted region by region, extends over a three-year period. A separate report is to be published for each province or territory and for the National Capital Region. The results are presented office by office in each report, so as to enable each designated office concerned to take immediate corrective measures when deficiencies were found.

As of July 15, 1998 we had prepared six reports on a total of 207 offices designated bilingual: 20 in Newfoundland, 24 in Prince Edward Island, 63 in New Brunswick, 35 in Manitoba, 37 in Saskatchewan and 28 in Yukon.

## **II. Objectives of the report**

The objectives of this report are to provide a review of trends observed so far, and to urge the TBS, as the agency responsible for the general direction and coordination of the policies and programs of the OLA in federal institutions, to take concrete and vigorous measures immediately to ensure that all federal offices designated to provide service in both languages actually meet their obligation. The report should also be seen in the context of government transformations and shows some of the effects of these transformations on service to the public. It may provide

useful information to the members of the working group set up by the Government at the COL's request to examine the situation.

### **III. Methodology of follow-up**

Before beginning the follow-up, we met with representatives of the French-speaking community in each province or territory to become better acquainted with their needs and concerns regarding the provision of service in institutions with which their members have frequent contacts. These representatives indicated that they were not adequately informed of the location of designated bilingual offices and of the services provided by each institution in these offices. They also told us of their concerns about the transformations of government, the absence of greeting and active offer in both languages as well as the increased use of administrative measures to compensate for the shortage of bilingual resources.

In each province or territory, we chose a large enough number of offices to enable us to draw valid conclusions. In addition, our choice of offices for the follow-up took into account the results obtained from our 1994 study in similar proportions, so as to enable us to establish comparisons. For example, when the study revealed that 15% of offices had obtained good results, our sample for the follow-up showed the same percentage.

Our auditors adopted a client-centred approach in evaluating the availability of service in French in the designated offices, acting like French-speaking citizens looking for service in their language. At least two telephone calls were made to each selected office. They noted whether the greeting was in both languages and whether service was provided in French consistently (two times out of two), occasionally (one out of two times) or not at all.

They visited each office to evaluate the signage, documentation, reception and availability of service in person in French. They met with the office manager and regional director of each institution to inform them of their findings and of the recommendations which might appear in the COL's report, if applicable. Draft reports with the follow-up results were also sent to the



deputy head of each federal institution and to the Secretary of the TB. Their comments were taken into account in the final reports.

According to the perception of the TBS, a more severe methodology was used for the follow-up than that employed in the study. This is not the case. The variations between the method used in the 1994 study and that employed in the follow-up are minor and do not prevent a comparison of the results. Services provided to the French-speaking population must be comparable in quality to those provided to the English-speaking population. In offices designated to provide services in English and in French, all services provided to citizens of the majority language must also be provided to citizens of the minority language. All designated offices must provide 100% effectiveness with regard to the availability and quality of service in both official languages; any result that deviates from this objective is significant.

In general, our findings were not challenged. The managers of the offices visited acknowledged the deficiencies identified during our visits. The basic difference between the study and the follow-up lies rather in the fact that the managers of the offices visited in the follow-up must now deal with the precise profile of the linguistic performance of their office.

This report takes the comments of the TBS into account. They are also presented and commented on in detail by the COL in Part VII of the report.

#### **IV. Observations**

Our findings show that many of the problems brought to light in the study persist. Thus, many offices designated bilingual which were unable to provide service in French in 1994 are still unable to do so, despite commitments made by the institutions to the TBS. In other offices, the situation has deteriorated. We made 558 recommendations in the six reports we have prepared thus far, 39 in Newfoundland, 70 in Prince Edward Island, 169 in New Brunswick, 87 in Manitoba, 115 in Saskatchewan and 78 in Yukon. For purposes of comparison, the annex shows the results for each element that we examined in the follow-up compared to those in the study,

for each province and territory. The following pages deal with general trends observed for all of the offices visited.

**A. Physical elements of service**

**Table I**

**Extent to which offices designated to provide services in both official languages meet their linguistic obligations (in %)**

| Service element                 | Study | Follow-up |
|---------------------------------|-------|-----------|
| <b><u>Physical elements</u></b> |       |           |
| Exterior signs                  | 94%   | 90%       |
| Interior signs                  | 82%   | 88%       |
| Documentation                   | 82%   | 78%       |
| Forms                           | 88%   | 83%       |
| Pictogram                       | 63%   | 84%       |

Table I compares the physical elements required to provide service in both languages in the six regions that we have examined to date with those of the 1994 study for the same regions. We note that several of the physical elements of service in both languages show slippage compared to 1994, except for interior signage, which improved slightly, and the use of signs to indicate the availability of service in both languages, which showed considerable progress, rising from 63% to 84%. We were expecting, however, that all the physical elements required in offices designated to serve the public in both official languages would have reached 100%

effectiveness, considering the ease with which signs can be posted and the presence of bilingual documents on display shelves can be checked. The results, in our opinion, indicate some laxity and lack of supervision on the part of both the institutions themselves and the TBS. As previously mentioned, the TBS had asked the institutions for action plans, but it did not monitor the situation closely enough.

We expect that the recommendations we have made to each office showing deficiencies in the follow-up will finally produce the desired results. We also expect that the TBS will do more than take note of the problems brought to light in the follow-up to remind the institutions at the proper time of their obligations. The TBS must take the measures required to ensure that all designated federal offices have available all the physical elements to indicate that they provide service in both official languages. The implementation of our recommendations in the offices we

visited and of recommendations 6 and 7 of this report should make it possible to rectify the deficiencies identified in this area.

**B. *Human elements of service***

With regard to the human elements of service, the recommendations that we made in 1994 have not had the impact the public was entitled to expect.

**1. *Active offer of service***

Active offer of service must include an audible greeting in both languages, both for service in person and for response by telephone, to indicate clearly that the office provides service in both English and French. It is the responsibility of the staff of designated offices to initiate communication with members of the public, under Section 28 of the OLA, by means of a greeting in both languages. The audible offer of service has a ripple effect on the demand for service, as many experiments conducted by federal institutions in the past have shown. The methods currently used by the designated offices to invite members of the public to select the official language in which they prefer to be served are far from satisfactory.

In this regard, we acknowledge the efforts made by the TBS by various methods to promote the advantages of active offer of service to the staff of designated offices: the production of a video on the subject and the organization of training sessions in all the regions. The TBS is taking action again this year by proposing, in its recent action plan, the development and distribution of a further initiative this year to remind the staff of designated offices of the importance of active offer of service in English and French, both in person and by telephone. These laudable efforts at promotion should, however, be accompanied by more intensive monitoring measures directed at institutions that do not consistently greet members of the public in both languages. The follow-up showed that two-language reception by telephone is practised consistently in only 57% of cases.

The follow-up also showed that only 21% of the offices visited use a two-language greeting for service in person. The methods used so far by federal institutions to meet this obligation produce results that are clearly unsatisfactory because the managers of designated offices do not make it a priority and because the TBS does not hold the deputy heads accountable for the results. In addition to the physical elements such as bilingual signs and the TBS pictogram, the audible offer of service in person in both languages must become the routine and normal way of indicating to the public that a designated office provides service in both English and French.

### Recommendation 1

**The Commissioner of Official Languages recommends that the Treasury Board Secretariat, no later than two months after publication of this report, make the audible greeting in both languages, both for service in person and service by telephone, a basic requirement for the evaluation by central agencies of the performance of institutions in their implementation of the official languages program and, specifically, the evaluation of deputy heads. This provision of the OLA should also be a major component of the information workshops that the Secretariat proposes to offer to managers in 1998.**

#### **2. *Service in French by telephone***

As Table II indicates, service in French by telephone shows the greatest slippage in effectiveness, falling from 71% in the study to 58% in the follow-up. This decrease in the availability of service in French by telephone was corroborated by an increase (36%) in the number of complaints about telephone communications filed with the Office of the Commissioner of Official Languages (OCOL) in 1997.

**Table II**

**Extent to which offices designated to provide services in both official languages meet their linguistic obligations**  
(in %)

| Service elements                       | Study | Follow-up |
|--|-------|-----------|
| <b><u>Human elements</u></b>           |       |           |
| Two-language greeting on the telephone | 49%   | 57%       |
| Two-language greeting in person        | 22%   | 21%       |
| Service on the telephone               | 71%   | 58%       |
| Service in person                      | 59%   | 71%       |
| Two-language capability                | 63%   | 59%       |

Following the successive publication of our follow-up reports on each province and territory, the TBS called for a study on the availability of service by telephone. The survey, which has just been published, presents much more encouraging results. Nationwide, federal offices provided adequate service by telephone in minority communities in 87% of cases, while two-language greeting on the telephone was available in both official languages in 69% of the offices. These results will be analyzed further to determine the extent to which elements of our respective studies can be compared.

### **3. *Service in French in person***

As for service in person, although it has improved significantly, it is still not available in French in 29% of the designated offices that we examined. In 27 of the offices visited the situation has deteriorated (this represents 13% of the designated offices visited), while 29 of the designated bilingual offices that were unable to provide service in French in 1994 are still unable to do so (this represents 14% of the designated offices visited). We made specific recommendations to the institutions in question concerning the correction of these deficiencies as soon as possible. In most cases, these offices did not have sufficient two-language capability to provide service in French, a subject we deal with more specifically in the following section.

#### **4. *Two-language capability of offices visited***

Regarding the capability to serve the public in both languages, i.e., the fact that an office has linguistically qualified human resources, it is at least satisfactory in only 59% of the designated offices that we visited, compared to 63% in 1994. This is very worrisome. Thus, 21 offices designated to provide service in both languages had no two-language capability on site (10% of the offices visited), while 45 others could rely on the services of only a single bilingual employee (22% of the offices visited). In the latter case, any absence of the single bilingual employee deprives the office of its entire capability to provide service in both languages. In general, the fact that offices designated to provide service in both languages still do not have the required bilingual resources five years after the implementation of the Regulations passes understanding. The TBS, which is responsible for monitoring implementation of the OLA and Regulations, must cease to tolerate such behaviour on the part of federal institutions.

In the offices that do not have adequate bilingual staff, and they are too numerous, service in French is often provided by means of administrative measures which, by their nature, are cumbersome and inadequate. Such measures, which institutions may reasonably have to use for a short period to compensate for the temporary absence of bilingual staff, continue for so long in certain offices that they become the permanent way of providing service in French.

At the Business Development Bank of Canada in Prince Edward Island, our auditor made a call that was directed to an office of the Bank in New Brunswick. He was unable to obtain the information sought because his interlocutor was not familiar with the situation on the Island, although he spoke French. At the Canadian Wildlife Service number in Whitehorse, Yukon, after the receptionist had put our auditor on hold, communication was established with someone who spoke French, but who had no knowledge of the programs available in Whitehorse. The employee then asked the auditor to submit a request in writing to the Vancouver office. This way of dealing with French-speaking clients is quite simply unacceptable.

All offices designated to provide service in both languages must have a sufficient number of linguistically qualified human resources. The TBS must perform its role as supervisor of the program to a greater extent and require that federal institutions take the necessary measures to ensure that citizens of the official language minority community obtain the same services in their language as are provided to those of the majority official language.

### Recommendation 2

**The Commissioner of Official Languages recommends that the Treasury Board Secretariat, no later than two months after publication of this report, require that deputy heads responsible for designated offices that do not have the required bilingual resources implement immediate corrective measures, check whether the situation is indeed rectified and report on it in the next annual report that the President of the Treasury Board will table in Parliament.**

#### ***C. Information to the public about the location of offices and available services***

Since the OLA and the Regulations were implemented, federal offices outside the National Capital Region which are not regional headquarters are designated to provide service in both languages based on the number and/or percentage of minority official language citizens they serve or based on the nature of the office (health, safety or security of members of the public, location of the office, national or international mandate of the office). The TBS keeps an up-to-date list of offices required to provide two-language services. In 1994, the TBS published an initial list of designated offices which it distributed in the form of inserts in minority official language newspapers to inform the public of the location of such offices. Similar inserts were published again in the spring of 1997 with the collaboration of Canadian Heritage and the Office of the Commissioner of Official Languages. The TBS also posts the list of designated offices that provide service in both languages on the Internet.

To conduct the follow-up in the five provinces and the territory, we used information found on the list of designated offices, taking care to consult the most recent version of the document available. Despite this, we found that the list in question contained a number of errors or omissions. Our follow-up showed that the information on designated offices given on the TBS list, updated annually by federal institutions themselves, was erroneous in the case of 46 of the offices visited (22%). The list of designated offices should be checked more frequently to ensure that the information about the location of designated offices is correct.

### Recommendation 3

**The Commissioner of Official Languages recommends that the Treasury Board Secretariat make more frequent checks of the accuracy of information provided by federal institutions for entry on the list of designated offices and that it require more frequent reports by institutions that are negligent in this regard.**

Moreover, we found that citizens more often use local telephone directories, particularly the blue pages, to find information on government services. The follow-up showed that telephone directories are not used effectively by federal institutions to inform the public about the language in which services are provided. The headings in these directories are usually identical in English and in French. Members of the official language minority community therefore cannot know at what number(s) service is actually available in their language. The telephone directories should clearly indicate for each federal institution (by means of an asterisk with an appropriate note) at what address and what number(s) members of the minority official language public can obtain service in their language of choice. We also note that these directories are published annually, while the TBS list has been published only twice since 1994.

### Recommendation 4

**The Commissioner of Official Languages recommends that the Treasury Board Secretariat, as soon as possible and before the next distribution of telephone directories in**



each region of the country, in co-operation with Public Works and Government Services Canada, develop and distribute a policy on the use of telephone directories by federal institutions to indicate clearly the address (if appropriate) and telephone number(s) where members of the minority official language public can actually obtain service in the language of their choice.

**D. *Reduction in the number of designated offices***

We found in the course of the follow-up that the total number of federal offices had decreased from 1994 to 1998. In the regions visited, the number of designated offices fell from 1,126 in 1994 to 864 in 1998, a reduction of some 23%. We also noted that the number of offices designated to provide service in both official languages had decreased to a greater extent than that of offices not designated. We also noted a large variation in the reduction of designated offices from one province to another. We had asked the TBS to look into this matter, which is of concern to the official language minority communities.

In its response, the TBS informed us of the results of its review of the situation for all points of service in Canada. The analysis shows that 300 closures of designated points of service, according to the TBS, are only "theoretical" in nature. These apparent closings have to do with the fact that, in 1994, a single physical office was listed separately for each regulatory provision applying to it. Thus, a single office might be counted more than once. In 1998, this same office was listed only once. Subtracting these "theoretical" closures (300) from the total number of designated offices which disappeared in recent years, the TBS informed us that the number of designated points of service eliminated amounted to 184, an overall reduction of 4.5%. As for non-designated points of service, 342 were closed in the same period, for a reduction of some 3.6%. According to the TBS study, if we take into account these "theoretical" closures, the closures of federal offices since 1994 have not disproportionately affected the points of service that are designated compared to those not designated, at least on average Canada-wide.

The TBS was not, however, able to break down these “theoretical” closures or the other types of closures of designated offices for each province and territory. The explanations provided by the TBS are incomplete and raise a problem regarding the management of the list of offices designated bilingual. These explanations, in fact, raise doubt about the reliability of the list of designated offices and about the controls used for updating the data for which the TBS is responsible. The changes made to the list over the years should be more easily identifiable.

#### Recommendation 5

**The Commissioner of Official Languages recommends that the Treasury Board Secretariat complete its study on the reduction of federal designated bilingual offices since 1994 in order to determine the impact of these closures on the availability and quality of service provided to the official language minority communities in each province or territory and that it report on this to the Commissioner within three months of publication of this report.**

#### *E. Management of service in the two languages*

In general, the managers of the offices visited told us that they were well informed about their office’s linguistic responsibilities. They also said that they had properly informed their staff in this regard. However, the results of our follow-up show that office staff do not always comply with the linguistic directives they receive. The follow-up also showed that most managers have no control procedure in place to ensure that members of the public are served in the official language of their choice. In looking closely at the performance of each office, we found that the managers of the offices showing the best results had integrated the provision of service in both languages into the routine management of their office. In addition to circulating directives, they organized staff orientation and training sessions; they also regularly discussed with staff problems related to the provision of service in both languages and monitored its application. Further, in most cases, they had regular contact with representatives of the French-speaking community to consult them regarding their needs and inform them of the services provided by their office. However, too few institutions act in this way. The TBS should exercise its

leadership and require that managers adopt an active approach to the provision of quality service in both official languages in offices designated in this regard.

***F. Institutional responses to our reports***

The responses received from federal institutions to the publication of our follow-up reports show that our findings are founded and that deficiencies exist in the provision of service to the public in both languages in the designated offices. They also show that most offices have taken or intend to take measures within reasonable time frames to correct the deficiencies noted. Only at the time of a future follow-up will we know whether these measures have resulted in lasting corrections. Unfortunately, several institutions only correct their deficiencies when there is an audit. In many cases, without our intervention, no action would be taken.

Among the useful initiatives taken by some federal institutions, we note that the offices of Revenue Canada in Newfoundland invited the Director General of the Fédération des francophones de Terre-Neuve et du Labrador to give a talk to its managers on the importance of active offer of service in both official languages to French-speaking citizens. We also note the initiative of the Business Development Bank of Canada, which took advantage of the recommendation made to its Yukon office to standardize the signage in all its designated bilingual offices across Canada. Unfortunately, there are too few initiatives of this kind.

As for the performance of institutions on the whole, with the exception of Canadian Heritage, few of them can claim to provide service of very good quality in both official languages in all their designated offices. It may be pointed out, however, that Revenue Canada's Tax Services and the offices of Statistics Canada generally provide two-language service of good quality. For the other institutions, a judgment can be made only by looking at each office, as the follow-up reports published to date indicate.

**G. *Role of the Treasury Board Secretariat***

Following our 1994 study, the TBS had asked federal institutions to examine the situation of offices designated to provide service in both languages and develop action plans to rectify the deficiencies. The follow-up results show on the one hand that the TBS has not been sufficiently critical of the institutions' self-evaluations. They also show that the TBS has not exercised the appropriate level of monitoring to obtain significant results from the designated offices. A review of TBS's most recent action plan to implement the commitment of the Secretary of the TB to the COL to quickly improve service to the public in designated offices indicates that the situation is not likely to change for the better. The activities that the TBS proposes to carry out are, with few exceptions, the same routine activities in which it has engaged in recent years. With the exception of a few initiatives designed to increase the visibility of the official languages program on the eve of the Francophone Summit to be held in Moncton in 1999, the TBS is limiting its activities with respect to federal institutions on the grounds of not usurping the primary responsibility of institutions subject to the OLA.

This approach would be acceptable if the results were satisfactory, but this is far from being the case. In view of the general lack of progress regarding service to the public in both official languages in designated offices since our 1994 study, the TBS must adopt a more rigorous approach to federal institutions that show laxity in this area.

Thus, while there is merit to the visits by TBS staff to designated offices, they will not suffice to ensure that citizens receive service in their language. These visits are in keeping with a management philosophy based on cooperation and support, but they do not constitute true monitoring. We recognize that the TBS cannot take on the primary responsibility of institutions that remain accountable for the implementation of the official languages program. It cannot, however, be simply a spectator, no matter how attentive. If the TBS really wants the designated offices to provide service in French of a quality comparable to that offered in English, it must take more vigorous measures to exercise the monitoring powers explicitly conferred on it by Section 46.(2)(d) of the OLA.

Recommendation 6

**The Commissioner of Official Languages recommends that the Treasury Board Secretariat make monitoring visits to the designated offices of institutions that were not examined in the Commissioner's follow-up in the provinces or territory mentioned, adopting an approach similar to that of a member of the public wishing to obtain service in the minority language.**

Recommendation 7

**The Commissioner of Official Languages recommends that the Treasury Board Secretariat require remedial measures, as appropriate, as well as more frequent progress reports from negligent institutions and that it comment on them in the future annual reports of the President of the Treasury Board to Parliament.**

***V. Conclusion***

We have sounded the alarm in each follow-up report we submitted in 1997 and 1998. We were expecting that the TBS would respond by taking more specific measures to rectify the situation. The COL believes that the TBS must do more than continue its usual activities if it is to correct the too numerous deficiencies observed in offices designated to provide service in both languages. The action plan that is proposed to improve the availability of service in designated offices is clearly not adequate. To satisfactorily fulfil its mandate of monitoring, auditing and evaluation, the TBS must immediately take concrete and effective measures to ensure that all federal offices designated to provide service in English and in French fully meet their regulatory obligations as soon as possible.

**VI. Pursuit of follow-up**

In 1998 we shall pursue our visits to offices designated to provide services in both languages. We shall continue to make recommendations to rectify the deficiencies in each office. We shall also return to the offices already visited to ensure that the managers respect their commitments. We shall also examine the measures that the TBS will bring forward to ensure that federal offices designated bilingual finally provide service of equal quality in the official language preferred by each citizen, as is his or her right.

**VII. Responses of the Treasury Board Secretariat and Public Works and Government Services Canada to the Commissioner's recommendations**

**Recommendation 1**

**The Commissioner of Official Languages recommends that the Treasury Board Secretariat, no later than two months after publication of this report, make the audible greeting in both languages, both for service in person and service by telephone, a basic requirement for the evaluation by central agencies of the performance of institutions in their implementation of the official languages program and, specifically, the evaluation of deputy heads. This provision of the OLA should also be a major component of the information workshops that the Secretariat proposes to offer to managers in 1998.**

**Treasury Board Secretariat's response**

The TBS is of the opinion that active offer of services in both official languages is indeed an important element included in the framework for the annual reports that institutions are required to submit yearly. It is also part of the assessment of Departmental management performance in official languages. Moreover, it is an important component of the instructional materials used by TBS in the training of official languages coordinators and in the workshops that it gives to

managers in the various regions. The TBS concurs with the COL that an active offer is an indispensable component of quality service in either official language. The TBS has in fact commissioned its own study, completed in this year, to assess various aspects of institutions' performance in the offer of services in both official languages over the telephone, covering both the active offer and the provision of service after initial contact with the public.

### **Commissioner's comment**

The COL notes that the TBS believes that active offer of service in both official languages is an important element of the content of the reports that institutions must submit to it yearly and that the assessment of institution's official languages performance takes into account. The COL is aware that active offer of service in both languages is an important component of the training given to official languages co-ordinators and of the workshops that it gives to managers in the regions. Moreover, the study conducted for TBS indicates that the two-language greeting is used in 69% of cases nationally with very large variations in certain regions. It is clear that additional effort is required in this regard.

The purpose of this recommendation was to ensure that the TBS makes audible offer of service in both official languages, both on the telephone and in person, the key element that would enable it to explain to the managers of designated offices of federal institutions that they must organize their services not on the basis of user demand but rather on the basis of the actual offer of service in both languages. The COL acknowledges the familiarization and promotion efforts made to date in this regard by the TBS, but he maintains his recommendation regarding the vital importance that must be attached to audible greeting in both official languages. The results of his studies continue to show that the efforts made are inadequate.

## **Recommendation 2**

**The Commissioner of Official Languages recommends that the Treasury Board Secretariat, no later than two months after publication of this report, require that deputy heads responsible for designated offices that do not have the required bilingual resources implement immediate corrective measures, check whether the situation is indeed rectified and report on it in the next annual report that the President of the Treasury Board will table in Parliament.**

## **Treasury Board Secretariat's response**

The Secretary of the TB emphasizes that, in February of this year, he indeed wrote to Deputy Heads and heads of institutions to point out to them that according to OCOL data and observations made by the TBS, the information regarding corrective measures that had been provided may not have been fully accurate. In his letter, he asked heads of institutions to undertake a rigorous and ongoing review of all their designated offices and service points so as to establish the availability and quality of services in both official languages. The Secretary of the TB also asked them to make managers responsible for those offices and service points aware of their official languages obligations. As a follow-up measure, he also asked them to include, in their annual reports to TBS, the results of their monitoring and awareness-raising activities, as well as an action plan for correcting the situation at offices where there were still problems.

## **Commissioner's comment**

The COL takes careful note of the activities undertaken by the TBS to date to implement this recommendation. The COL will follow with great interest how this pressing issue is dealt with in the next annual report which the President of the Treasury Board will table in Parliament. The COL also intends to monitor very closely the situation of offices designated to provide services



in both languages which do not have the resources required to meet their linguistic obligations properly.

### **Recommendation 3**

**The Commissioner of Official Languages recommends that the Treasury Board Secretariat make more frequent checks of the accuracy of information provided by federal institutions for entry on the list of designated offices and that it require more frequent reports by institutions that are negligent in this regard.**

### **Treasury Board Secretariat's response**

The Secretary of the TB recalls to the COL that in his responses to various follow-up reports he has indicated that, since the information regarding addresses and telephone numbers found in the system known as Burolis is provided by institutions themselves, the TBS has to depend on their ability to provide this information accurately. TBS will soon be running pilot projects with a few institutions to study the feasibility of having institutions enter certain kinds of information directly. If successful, this approach could help improve both the accuracy and turn-around time in entering such information in the system.

### **Commissioner's comment**

The COL believes he has demonstrated with supporting evidence in each of the follow-up reports published to date that the TBS cannot assume that the information provided by the institutions for publication on the list of offices designated bilingual is always correct. That is why he made this recommendation. The COL notes with interest the TBS's plan to improve the accuracy of the information provided by federal institutions for publication in the list of offices designated bilingual. However, in view of the situation observed to date in this regard, the COL believes

that the TBS should perhaps validate a sampling of the information provided by the institutions themselves to ensure better quality of the information provided by the institutions.

#### **Recommendation 4**

**The Commissioner of Official Languages recommends that the Treasury Board Secretariat, as soon as possible and before the next distribution of telephone directories in each region of the country, in co-operation with Public Works and Government Services Canada, develop and distribute a policy on the use of telephone directories by federal institutions to indicate clearly the address (if appropriate) and telephone number(s) where members of the minority official language public can actually obtain service in the language of their choice.**

#### **Treasury Board Secretariat's response**

The TBS assures the COL that they are aware that improvement is necessary and that certain approaches to this are under study concerning entries of telephone numbers of federal offices in telephone directories.

#### **Public Works and Government Services Canada's response**

For its part, the Department of Public Works and Government Services Canada (PWGSC) informed the COL that it has set up a project to review the question of the use of the blue pages in the some 140 regional telephone directories in Canada to list the services provided by federal institutions. The possibility of identifying designated bilingual offices in these directories will be raised at the next meeting of the participants in the project.

**Commissioner's comment**

The recent responses by the TBS and PWGSC to this recommendation leave the COL perplexed. In correspondence of August 10, 1998 concerning publication of the final report of the study of federal offices designated to respond to the public in English and French in Manitoba, the Honourable Marcel Massé, President of the Treasury Board, informed the COL that the TBS has developed a submission to PWGSC to solve the problem concerning the use of telephone directories to give the numbers of bilingual offices. Under the proposed formula, the numbers of offices providing two-language service would be accompanied by the official TBS pictogram. Departments would be required to ensure that when their respective lists are updated, the numbers appearing in the blue pages correspond with those on the TBS's list of bilingual offices (BUROLIS). The TBS had also asked PWGSC to look into the possibility of listing together, at the beginning of the blue pages devoted to federal services, under the above-mentioned pictogram, the numbers where service must be provided in both official languages.

The COL hopes that this proposal can be implemented quickly. He maintains his recommendation. It goes without saying that he will closely monitor the progress of the project in question so that members of the public can easily determine where to find the numbers at which service is available in the official language of their choice in local telephone directories.

**Recommendation 5**

**The Commissioner of Official Languages recommends that the Treasury Board Secretariat complete its study on the reduction of federal designated bilingual offices since 1994 in order to determine the impact of these closures on the availability and quality of service provided to the official language minority communities in each province or territory and that it report on this to the Commissioner within three months of publication of this report.**

### **Treasury Board Secretariat's response**

The TBS notes that the fifth recommendation deals with the question of the extent to which there has been a reduction in the number of bilingual offices and whether this means that there has been a corresponding reduction in the services provided to official language minorities in the official language of their choice. The TBS pointed out to the COL that in the body of his draft report he indicates that the explanations provided on this topic by the Secretariat are partially reassuring. TBS will be considering what additional information may be available to the COL to provide him with even greater assurance in this matter.

### **Commissioner's comment**

The COL merely noted an actual situation, namely, that the number of offices designated to provide service in both official languages had decreased more than the number of federal offices in general. The COL finds the situation disturbing for the official language minority communities, which are already experiencing quite a few problems in obtaining service in their language from designated federal offices. The technical explanations provided by the TBS have only partially reassured him. The COL appreciates the co-operation of the TBS. The staff of OCOL will therefore pursue discussions with TBS staff to find out more about this. In this connection, OCOL will ask the TBS to provide it with a comparison of the services provided to certain communities by designated offices in 1994 with those provided to the same communities today. A comparison with the services provided to members of the majority might also prove interesting.

### **Recommendation 6**

**The Commissioner of Official Languages recommends that the Treasury Board Secretariat make monitoring visits to the designated offices of institutions that were not examined in**

**the Commissioner's follow-up in the provinces or territory mentioned, adopting an approach similar to that of a member of the public wishing to obtain service in the minority language.**

**Treasury Board Secretariat's response**

The TBS has been undertaking a series of audits of service to the public in designated offices in certain Census Metropolitan Areas (CMA). The TBS will try to follow up on this recommendation, where possible, by including, in future audits, some of the offices that OCOL studies did not cover, whether located in CMAs or in other localities. As well, when officers of the TBS visit offices in the regions to meet managers or to hold workshops, it is a routine part of their activities to inform managers of aspects of service in both official languages that they have found to be inadequate.

**Commissioner's comment**

The COL notes that the TBS will try to include a number of offices that were not visited in the follow-up. The COL is also aware that TBS officers, when they make visits to the regions, inform managers of anomalies or aspects of service in both official languages that leave something to be desired. However, he cannot refrain from noting the difference of approach between a more formal audit, which requires the taking of corrective measures which will themselves be the subject of a follow-up, and the more informal method used by TBS officers. While this more informal method can produce excellent results in some circumstances, it is inadequate when anomalies that had already been noted in 1994 have still not been rectified. The COL therefore maintains his recommendation and invites the TBS to show more rigour in monitoring the performance of federal institutions subject to the OLA.

### **Recommendation 7**

**The Commissioner of Official Languages recommends that the Treasury Board Secretariat require remedial measures, as appropriate, as well as more frequent progress reports from negligent institutions and that it comment on them in the future annual reports of the President of the Treasury Board to Parliament.**

### **Treasury Board Secretariat's response**

The TBS pointed out that some of the measures put forward constitute a partial solution to the problem. The Secretary of the TB adds that he has the intention to continue periodically to raise official languages issues concerning institutions in general (such as problems with active offer) at Deputy Ministers' breakfasts and he will continue to do so. Moreover, he would like to recall that as part of the follow-up measures to the COL report on the effects on official languages of government transformations, he has asked institutions to designate a senior official reporting to the head of the institutions as official languages "champion" in their institution in order to raise managers' awareness of certain problems regarding official languages and of possible solutions.

### **Commissioner's comment**

The COL appreciates the commitment of the Secretary of the TB to the official languages program and notes that the TBS is aware that the measures adopted rectify only in part the problem brought to light. To respond in a fully satisfactory way to this recommendation, the TBS should require more frequent reports from institutions that show laxity in the provision of service in both official languages. While the annual performance reports may be sufficient for most of the federal institutions in question, the TBS should recognize that some of them are experiencing problems that require more frequent monitoring on its part.

### **General conclusion**

The responses of the TBS and of PWGSC to the recommendations made in the progress report contain encouraging elements that could improve the provision of service in both official languages. The COL does not doubt, for example, that as a result of certain TBS initiatives, the managers of offices designated to provide service in both official languages will in future be more aware of and better informed about their linguistic obligations. This is an important step in the right direction. However, the COL also intended, through his progress report, to encourage a change of strategy by the TBS so that it might improve its accountability system for the implementation of the OLA and Regulations by federal institutions. The COL was awaiting and is still awaiting the adoption of more vigorous measures with regard to designated offices that do not meet their linguistic obligations, as well as the establishment of a more rigorous monitoring system.

**APPENDIX**

**Comparative results of the study and the follow-up in offices designated to provide service in both official languages**

| Province/<br>Territory                       | Newfoundland |           | Prince Edward<br>Island |           | Yukon |           | Manitoba |           | Saskatchewan |           | New Brunswick |           |
|--|--------------|-----------|-------------------------|-----------|-------|-----------|----------|-----------|--------------|-----------|---------------|-----------|
|  | Study        | Follow-up | Study                   | Follow-up | Study | Follow-up | Study    | Follow-up | Study        | Follow-up | Study         | Follow-up |
| External Signs                               | 100%         | 94%       | 94%                     | 80%       | 85%   | 56%       | 96%      | 100%      | 91%          | 100%      | 99%           | 98%       |
| Internal Signs                               | 80%          | 100%      | 80%                     | 70%       | 85%   | 77%       | 81%      | 97%       | 81%          | 88%       | 93%           | 92%       |
| Documentation                                | 100%         | 100%      | 79%                     | 55%       | 75%   | 67%       | 87%      | 90%       | 73%          | 76%       | 91%           | 83%       |
| Forms  | 100%         | 100%      | 89%                     | 80%       | 100%  | 86%       | 96%      | 85%       | 70%          | 74%       | 100%          | 90%       |
| Pictogram                                    | 54%          | 88%       | 58%                     | 80%       | 46%   | 61%       | 74%      | 84%       | 57%          | 88%       | 71%           | 82%       |
| Two-language<br>greeting on the<br>telephone | 41%          | 59%       | 49%                     | 65%       | 47%   | 62%       | 57%      | 50%       | 52%          | 53%       | 62%           | 62%       |
| Two- language<br>greeting in person          | 0%           | 7%        | 36%                     | 6%        | 14%   | 12%       | 43%      | 39%       | 18%          | 24%       | 19%           | 16%       |
| Service on the<br>telephone                  | 70%          | 47%       | 69%                     | 65%       | 91%   | 66%       | 76%      | 56%       | 60%          | 67%       | 84%           | 77%       |
| Service in person                            | 42%          | 56%       | 72%                     | 90%       | 42%   | 61%       | 76%      | 78%       | 45%          | 61%       | 85%           | 78%       |
| Two-language<br>capacity                     | 74%          | 50%       | 62%                     | 72%       | 37%   | 48%       | 71%      | 63%       | 59%          | 38%       | 81%           | 77%       |