President
of the Treasury Board

Président
du Conseil du Trésor

Official Languages in Federal Institutions

Annual Report 1992-93

Canada

Official Languages in Federal Institutions

Annual Report 1992-93

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Speaker of the Senate

Dear Mr. Speaker:

Pursuant to section 48 of the *Official Languages Act*, I hereby submit to Parliament, through your good offices, the fifth annual report of the President of the Treasury Board covering the fiscal year 1992-93.

Yours sincerely,

Arthur C. Eggleton

President of the Treasury Board

February 1994

Speaker of the House of Commons

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Table of Contents

Foreword 1

Introduction 3

Chapter 1
Regulations on Service to the Public 5

- Significant Demand 6
- Nature of the Office 6
- Contracted Services Provided to the Travelling Public 6
- Effective Date of the Regulations 6
- Application 7

Chapter 2
Activities of the Treasury Board 9

- Regulations, Policies and Directives 10
  - Regulations 10
  - Policies 11
  - Information Technology 12
- Accountability Framework 12
  - 1992-1993 Letters of Understanding 13
  - Agreements with Crown Corporations 13
- Audit 14
- Information 14
  - Keeping the Public Informed 14
  - Keeping Employees Informed 14
- Support Programs 15
  - Language Training 15
  - Translation 15
  - Bilingualism Bonus 16
  - Assistance to Crown Corporations 16
  - Cost of the Program 16
- Advisory Committees 16
- Publications 17

Chapter 3
The Situation in Federal Institutions 19

- Trends in 1992-93 20
- Service to the Public 20
- Language of Work 21
- Participation 21
- Evaluation Instruments 22

- **Statistical Annex** 23
  - Statistical Tables 23
  - Information Sources 24
  - Interpretation of the Data 24
  - Validity of the Data 24
  - Tables 25
  - Technical Notes and Definitions 50

Foreword

I am pleased to submit to Parliament, as required by the *Official Languages Act*, the fifth annual report of the President of the Treasury Board on the status of official languages programs in federal institutions. The report covers the period April 1, 1992 to March 31, 1993.

The *Official Languages (Communications with and Services to the Public) Regulations*, which give effect to Part IV of the Act, were adopted on December 16, 1991. However, it was only during the past fiscal year that the process of implementing the Regulations really took place with the coming into effect on December 16, 1992 of the provisions relating to federal offices which are required, because of their particular nature or because demand for services in either language is significant, to "automatically" provide their services in both official languages.

The Regulations are a precise instrument for the systematic application of the *Official Languages Act* resulting from extensive consultations with federal institutions and the public. A spirit of cooperation and collaboration marked both the consultative process and preparatory work. The Regulations are unquestionably an undertaking which the Treasury Board and federal institutions can be proud of.

The *Official Languages Act* provides Canada with the means to support and to put into practice, in a responsible, enlightened and efficient manner, the principle of linguistic duality that is a cornerstone of Canadian federalism, and to fulfil the obligations arising to it under the Charter of Rights and

Freedoms. Under the Act and the Regulations, federal institutions must serve the public in the official language of its choice within prescribed limits. The Act also gives employees of federal institutions the right to be able to work in the official language of their choice within certain parameters. Lastly, through specific provisions to this effect, the federal government is committed to the principle of the equitable participation of English-speaking and French-speaking Canadians, and federal institutions are responsible for respecting and applying this principle throughout their organizations.

A strong force for unity in Canadian society, language enables Canadians to communicate with and to understand each other. It provides a means of bringing Canadians together in all their diversity in a spirit of mutual respect. In this, the Official Languages Program has played, and will continue to play, an important and indispensable role.

Therefore, I am pleased to submit this report that outlines the achievements and actions of the Treasury Board in ensuring a smooth and cooperative approach to implementing the *Official Languages (Communications with and Services to the Public) Regulations* and describes the progress of the Official Languages Program in federal institutions.

Introduction

In 1969, the Parliament of Canada adopted the first *Official Languages Act*, therein recognizing the equality of English and French in federal institutions. In 1982, the *Canadian Charter of Rights and Freedoms* entrenched this principle in the Constitution by stipulating that English and French are the official languages of Canada. The Charter also stipulates that the Canadian public has the right, in certain circumstances, to communicate with and receive services from federal institutions in the official language of its choice. This principle of the equality of status of both official languages was incorporated into the 1988 *Official Languages Act* which, unlike the 1969 Act, sets forth terms for enforcing certain of its provisions. Adopted on December 16, 1991, the new *Official Languages (Communications with and Services to the Public) Regulations* are derived directly from the 1988 Act and are an important step in ensuring the implementation of Part IV of the Act.

Parts IV, V and VI of the *Official Languages Act* are the three pillars of the legal framework of the program. The purpose of this legislation is to ensure the equality of status and equal rights and privileges of English and French as to their use in federal institutions.

- Within prescribed circumstances, as set out in the *Official Languages Act*, the public has the right to communicate with federal institutions and to be served by these institutions in the official language of its choice (Part IV).

- Employees of federal institutions have the right to work in the official language of their choice within the prescribed limits set out in the Act (Part V).

- The Act confirms the government's commitment to ensuring that English-speaking and French-speaking Canadians enjoy "equal opportunities for employment and advancement in federal institutions", and that the composition of the work force of a federal institution tends to reflect the presence of both official language communities, taking into consideration the mandate of the institution, the public which it serves and the location of its offices (Part VI).

Federal institutions are responsible for assuring the application of the *Official Languages Act* and pursuant Regulations. Correspondingly, it is the role of the Treasury Board to define the accountability framework for federal institutions.

The responsibilities of the Treasury Board for official languages are clearly defined in the Act. Under section 46, the "Treasury Board has responsibility for the general direction and coordination of the policies and programs of the Government of Canada relating to the implementation of Parts IV, V and VI in all federal institutions other than the Senate, the House of Commons and the Library of Parliament."

With respect to these responsibilities, the President of the Treasury Board is required to report annually to Parliament on the status of implementation of official languages programs in federal institutions. This document is the fifth annual report of the President. It contains three chapters:

- Chapter 1, which deals with the Regulations on Service to the Public;
- Chapter 2, which describes the activities of the Treasury Board in the area of official languages in 1992-93; and
- Chapter 3, which reviews the status of official languages in federal institutions.

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Chapter 1

Regulations on Service to the Public

Fiscal year 1992-93 was the first phase in the gradual implementation of the provisions of the new Official Languages Regulations adopted on December 16, 1991. There are three components to the Regulations aimed at ensuring implementation of some provisions of the Act on service to the public. These components relate to:

- federal offices where there is "significant demand" for services in both official languages;
- federal offices whose "nature" makes it reasonable that services be provided in both languages; and
- services provided to the travelling public by a third party under a contract.

Significant Demand

Given Canada's linguistic and geographic diversity, it is essential for the country to have a set of official languages regulations that respect regional realities and differences. As a result, some provisions of the Regulations relating to the assessment of significant demand for services from a federal institution are of general application, while others apply to specific services.

The rules of significant demand that are of general application are based, for the most part, on census population data and the number and proportion of the linguistic minority.

The rules on certain specific services are based, for the most part, on the volume of demand in cases, as at airports and railway stations, where demographic statistics are not really relevant.

Nature of the Office

With regard to the "nature of the office" provisions, the Regulations apply to specific federal services, regardless of the actual level of demand. These provisions cover, among other things, signage for health, safety and security of the public, national parks, embassies and consulates, and the principal offices of federal institutions located in the Northwest Territories and the Yukon, and popular events of national or international scope.

Contracted Services Provided to the Travelling Public

The third component relates to the services provided to the travelling public through a contract. The Regulations set out the circumstances under which there is significant demand for services by the travelling public in either official language at airports, railway stations, and ferry terminals. The services covered include restaurants, car rental services, foreign exchange, and services provided by carriers. The Regulations also stipulate the manner in which such services must be delivered.

Effective Date of the Regulations

To ensure that all federal institutions are able to comply with the provisions within a reasonable time frame, the Regulations are being implemented over a three-year period:

- December 16, 1992, for the provisions relating to the nature of the office and significant demand which automatically provide for the delivery of services in both official languages;
- December 16, 1993, for provisions on significant demand which require an assessment of the demand in each official language, as well as those relating to federal offices in the Yukon and Northwest Territories; and

- December 16, 1994, for provisions relating to maritime communications, to search and rescue services and to contracted services provided to the travelling public in federal facilities.

Application

The Regulations apply to all federal institutions subject to the *Official Languages Act*, as well as to Air Canada[1]. However, the Regulations do not cover federal offices located in the National Capital Region and head offices since these are already required to serve the public in both official languages under the *Official Languages Act*.

[1] *Under the Air Canada Public Participation Act*

Chapter 2

Activities of the Treasury Board

This chapter reviews the activities of the Treasury Board and its Secretariat, as required by the *Official Languages Act*, during the fiscal year beginning April 1, 1992 and ending March 31, 1993.

In October 1992, the Official Languages Branch of the Treasury Board Secretariat became the Official Languages and Employment Equity Branch. This new designation reflects the Branch's expanded mandate which, in addition to the Official Languages Program, now also includes the Employment Equity Program. However, for this report, only the activities relating to the Official Languages Program are considered.

During the past fiscal year, the Official Languages and Employment Equity Branch had 48 person-years and a budget of $4.8 million to assist the Treasury Board to carry out its official languages mandate.

The Official Languages component of the Official Languages and Employment Equity Branch is responsible for developing, coordinating and disseminating federal policies and programs relating to service to the public, language of work and the equitable participation of Anglophones and Francophones in the federal institutions. The Branch has four divisions sharing the management of Official Languages Program responsibilities.

The **Policy Division** is responsible for developing, preparing and interpreting official languages policies and regulations, and for developing all related rules, guidelines, circulars and directives. The Division examines the major issues related to official languages and coordinates the work related to Parliamentary activities.

The **Evaluation and Information Management Division** is responsible for establishing and managing the audit and evaluation framework of the Official Languages Program. It develops and administers the various official languages information systems and provides all parties with the communications and data transmission tools required for the efficient management of the Program in federal institutions.

The **Program Division** provides ongoing liaison with federal institutions with respect to the Official Languages Program and analyzes submissions to the Treasury Board. It ensures the application of accountability criteria and mechanisms in the context of the implementation of the *Official Languages Act* and Regulations. The Division is also responsible for negotiating official languages agreements with federal institutions and for providing them with support and operational advice.

The **Consultation and Client Services Division** is responsible for ensuring an ongoing dialogue with the official languages communities, with federal managers in the regions, with other levels of government and with the private sector in the provinces and the territories. The Division coordinates regional consultation activities and is also responsible for informing the public and employees on the Official Languages Program.

Regulations, Policies and Directives

As part of phasing in the Regulations over three years, the Treasury Board Secretariat has taken a number of preparatory measures including some related primarily to assessing the demand for services in both official languages.

Regulations

The Treasury Board Secretariat continued to provide support and advice to federal

institutions implementing the *Official Languages (Communications with and Services to the Public) Regulations.* In May 1992, the Secretariat published three directives aimed at clarifying certain obligations of federal institutions.

The first directive defines how the principle of proportionality is to be applied in federal institutions that provide the same types of services in several offices. It requires that the institutions consult the official language minority communities before deciding which offices will provide these services in both official languages.

The second directive sets out the conditions that federal institutions required to assess demand for services in either official language must meet in the surveys of the language preference of their clientele.

The third directive covers services intended specifically for a restricted and identifiable clientele. It is aimed at assisting institutions in identifying clearly which offices are obliged to provide such services in either official language.

To provide direction to federal institutions covered by the directives on implementation of the Regulations, the Treasury Board Secretariat distributed the report commissioned from a private sector consultant on methods for assessing service demand.

Other activities that deserve mention are those initiated in order to assist federal institutions in the implementation of the Regulations, notably the preparation of the list of federal offices covered by the Regulations. The Treasury Board Secretariat also designed an automated map system to help the institutions fulfil their obligations under the Regulations on service areas. The system is able to produce maps which show the location of an institution's offices and the size of the surrounding official language minority communities. Furthermore, the Secretariat has prepared a circular asking all federal institutions to review their obligations in light of the 1991 census figures on population estimates by first official language spoken.

As part of the overall implementation of the Act and Official Languages Regulations, the Treasury Board Secretariat continued to develop, with the collaboration of the federal institutions concerned, an automated listing of information on federal offices required, under the Regulations, to serve the public in both official languages. This database will eventually serve as an important audit tool.

Throughout the year, the Secretariat responded to many requests from federal institutions for the interpretation of various provisions of the Regulations.

Policies

The Treasury Board Secretariat is responsible for developing official languages policies and directives that apply to all federal institutions and Air Canada and for updating these policies and directives to reflect amendments to the legislation or any need for clarification identified through contacts with federal institutions.

The preparation of the revised policies and guidelines on official languages was an important activity of the Secretariat in 1992-93. The policies, prepared in the context of Public Service 2000, set out the objectives and results to be attained, and state clearly the obligations of federal institutions with respect to official languages. The guidelines offer concrete suggestions to help federal institutions fulfil their obligations.

During the past year, the Secretariat consulted extensively with the departments,

agencies and Crown corporations, primarily through their advisory committees. Consultations were also held with the unions. Through this process, the Secretariat continued its review of existing official languages policies and guidelines to prepare them for publication in the official languages volume of the *Treasury Board Manual.*

Information Technology

A major achievement of the Treasury Board Secretariat in 1992-93 was the launching in September 1992 of an electronic bulletin board, the Official Languages Information Network (OLIN). OLIN contains all the relevant official languages references including the Act, Regulations, directives and circulars, as well as reports and statistics. It not only allows users to access the data required to ensure better management of the Official Languages Program in their institutions, but also to share experiences and exchange information. OLIN has made it possible to eliminate some of the paperwork that made managing official languages data unduly burdensome, and thereby has contributed significantly to improving the efficiency and effectiveness of the Program.

By March 1993, some 30 federal institutions were already connected to OLIN. The remaining institutions are expected to be on line by the end of the next fiscal year. OLIN should gradually expand to include all departments, agencies and Crown corporations.

In May 1992, the Treasury Board adopted its "Treasury Board Information Technology Standard Number 5". That standard, which is based on the new "The Canadian Keyboard Standard", approved by the Canadian Standards Association, came into effect on January 1, 1993. It will provide a means of responding to the needs of all users of keyboards and coded characters in the federal government and will also ensure better compliance with the requirement of the Act that widely and regularly used automated systems be available to employees in either official language.

Accountability Framework

Under the *Official Languages Act*, the Treasury Board is responsible for monitoring and auditing federal institutions for their compliance with official languages policies and directives, and the Regulations. Although each institution is responsible for implementing the Official Languages Program within its own organization, the Treasury Board is responsible for coordinating and developing program evaluation mechanisms. The Annual Management Report called for under the Letters of Understanding is one such indispensable instrument. Secretariat officials maintain close contacts with federal institutions and are available to provide advice, assistance and guidance.

The Treasury Board Secretariat, after consulting departments, agencies and the unions, began a review of the official languages planning and control framework with the aim of simplifying and streamlining it in the context of Public Service 2000 and the Shared Management Agenda. The framework will place more emphasis on accountability and be more results-oriented.

While the success of the Official Languages Program depends on keeping the public and employees informed, it also depends on maintaining contacts with senior officials in federal institutions. The Shared Management Agenda, co-signed by the Secretary of the Treasury Board, is an undertaking by the deputy head of the institution to achieve a number of strategic objectives which may include official languages considerations.

In response to a request by the Treasury Board Secretariat in 1991-92, many deputy heads indicated that their leadership was essential if employees were to be able to work in the official language of their choice. Several deputy heads acknowledged that French had been used more often during their management meetings in 1992 than during the previous year.

1992-1993 Letters of Understanding

The Official Languages Letters of Understanding that departments and agencies sign with the Treasury Board are a key tool in ensuring accountability in the management of their programs. They set out how federal institutions have agreed to fulfil their obligations, as well as mutually acceptable means to measure results. Negotiation of the Letters of Understanding are progressing smoothly with 14 new letters[2] approved by the Treasury Board as of March 31, 1993. By the end of the fiscal year, only 15 departments and agencies had not signed an initial Letter of Understanding.

The review of the accountability framework, which began in 1991-92 in the context of Public Service 2000, will enable a number of departments and agencies to use a simplified approach when they renew their agreements. The new process is oriented more to partnership and results than to the means used to achieve those results. The Annual Management Report, which is an integral element of the Letters of Understanding, is the key instrument for evaluating the progress made by these institutions. As a result of the review of the accountability framework, future management reports will focus on the results to be achieved in the fiscal year in question.

In 1992, in consultation with the institutions and the federal evaluation community, the Treasury Board Secretariat began developing a number of evaluation instruments, including a questionnaire and self-assessment grid for managers.

Departments and agencies which have shown that they are meeting the objectives of the Official Languages Program may be exempted from signing a Letter of Understanding. They must, however, submit a brief annual report showing why the exemption remains valid.

Agreements with Crown Corporations

As is the case with the Letters of Understanding with the departments and agencies, the agreements with the Crown corporations form the basis for establishing an official languages accountability framework.

In 1992-93, the Treasury Board approved agreements with three Crown corporations, the Canadian National Railways, the Laurentian Pilotage Authority and the Canada Ports Corporation. By the end of the fiscal year, a number of other agreements were in the final stages of negotiation. To date, some 30 Crown corporations have begun the planning process that leads to the signing of an Official Languages Agreement.

[2] *The 14 institutions that signed Letters of Understanding are: Atlantic Canada Opportunities Agency, the Office of the Administrator of the Grain Transportation Agency, Office of the Auditor General of Canada, Canadian Wheat Board, Canada Labour Relations Board, Office of the Coordinator — Status of Women, Department of Supply and Services, Department of External Affairs and International Trade, Clerk of the Federal Court of Canada, Information Commissioner and Privacy Commissioner, National Film Board, National Parole Board, Department of the Solicitor General, and Western Economic Diversification Canada.*

Audit

Under the *Official Languages Act*, the Treasury Board has the authority to monitor and audit the activities of all federal institutions, except for the Senate, the House of Commons and the Library of Parliament. During the 1992-93 fiscal year, the Treasury Board Secretariat strengthened its collaboration with departmental and agency internal auditors to ensure their involvement in the audit of official languages activities[3]. To this end, a study of the internal audit of official languages in institutions for which the Treasury Board is the employer was conducted in 1992-93. Thirty-three departments and agencies were involved in this project which consisted of examining the audit function with respect to official languages and making recommendations to enhance the accountability of management and the contribution of internal audit groups to auditing official languages.

Information

The success of the Official Languages Program depends on keeping employees and the general public informed. The Treasury Board Secretariat, therefore, devotes a lot of energy to this aspect of its responsibilities. During 1992-93, the Official Languages and Employment Equity Branch continued to maintain effective communications with official language minority communities, representatives of the English- and French-language media and the official languages coordinators in federal institutions across the country.

[3] *Following the restructuring of the Official Languages and Employment Equity Branch in 1992-93, the Evaluation and Information Management Division has been dismantled and its audit and evaluation responsibilities have been centralized in the Administrative Policy Branch of the Treasury Board Secretariat.*

Keeping the Public Informed

To better serve the public and ensure that the Official Languages Program is meeting the needs of Canadians, the Treasury Board Secretariat regularly holds information and consultation sessions with official language minority communities. It also takes part in the annual meetings of provincial, territorial and national associations of these communities. Meetings were also held to foster communications between official language minority associations and federal institutions, in locations that included Manitoba, the Yukon and the Northwest Territories.

Following publication of the final version of the Regulations on service to the public in both official languages, special information sessions were held in all regions for members of the official language minority communities and federal employees.

Keeping Employees Informed

In 1992-93, the staff of the Official Languages and Employment Equity Branch continued to work closely with federal institutions that provide services to the public in the regions. Meetings were organized with the official languages coordinators and managers in Halifax, Quebec City, Montreal, Toronto, Sudbury, Winnipeg, Saskatoon, Edmonton and Vancouver .

The Treasury Board Secretariat organized two major theme days for the persons responsible for the Official Languages Programs in federal institutions. The first session, held in June 1992 and attended by 140 people, focused on the active offer of service to the public in both official languages. Participants suggested that mini-seminars be held in the regions so that front-line employees could have direct access to the information. The second theme day, held in November, was devoted to language of work and attracted some 200 participants who had an opportunity to

discuss the draft language of work policies and the concept of work environments conducive to using both official languages.

The "Orientation to Official Languages" course introduced in 1991-92 provides a general overview of the functioning and foundations of the Program. It continued to be very popular with participants who found that it met their information needs. In 1992-93, 10 courses were given across the country in English or French, or in a bilingual format in the National Capital Region and Halifax. Two special courses were organized in a bilingual format for National Defence employees. Given its success, "Orientation to Official Languages" is now a part of the regular training program of the Public Service Commission.

Support programs

Language Training

Second-language training remains an important support measure for the Official Languages Program. In 1992-93, departments and agencies continued to offer their employees language training appropriate to their needs. To this end, some 2.1 million hours of training were provided. In an effort to improve the effectiveness of the language training program, the Treasury Board Secretariat in cooperation with the Public Service Commission, the main supplier of language training, will continue to evaluate the program.

In 1992, as part of its efforts toward increased efficiency and streamlining of the process, the Treasury Board Secretariat delegated responsibility for evaluating private sector language training suppliers to the departments. Through the Official Languages Information Network (OLIN), official languages program managers in the various institutions are able to exchange information on the quality of training provided by the language training suppliers, specifically on the specialization of the suppliers and their particular skills. OLIN also provides access to the inventory of suppliers managed by the Department of Supply and Services.

Translation

Like language training, translation is a principal support mechanism of the Official Languages Program. The system of "envelopes of words" that has been used for the past several years is based on annual forecasts of translation requirements of each institution. The Treasury Board Secretariat continued to work with the Translation Bureau and federal institutions to ensure that the services provided enable the institutions to meet their obligations under the *Official Languages Act* and pursuant Regulations. During the fiscal year ending March 31, 1993, the Translation Bureau translated 258 million words compared to 252 million in the previous year.

The Department of the Secretary of State conducted an evaluation of the translation program in 1992-93 in order to increase program efficiency.

In light of this evaluation, the Treasury Board Secretariat agreed in February 1993 to make the Translation Bureau a Special Operating Agency in order to cut costs and increase efficiency. At the same time and in keeping with the new accountability framework, the Secretariat made the use of Translation Bureau services optional as of April 1, 1995. This will result in the increased accountability of departments and agencies in the area of translation since they will have more flexibility and latitude in their choice of translation services.

Bilingualism Bonus

As of March 31, 1993, 61,665 employees were being paid the $800 a year bilingualism bonus. The Secretariat confirmed the continued eligibility for the bonus of 8,888 employees who passed a language test during the year. The success rate was 98 per cent, a slight increase over the previous year when the success rate was 97.8 per cent. Employees who failed the test had the bonus withdrawn until they regained the proficiency level required. The total cost of the bonus paid to employees of departments and agencies for which Treasury Board is the employer was $48.6 million in 1992-93. Members of the Executive Group and some other groups are ineligible for the bilingualism bonus.

Assistance to Crown Corporations

Under the provisions of the *Official Languages Act*, the Treasury Board was authorized to provide financial assistance for a four-year period to assist Crown corporations implement the provisions of the Act that relate to language of work. This program was introduced in 1989 and ended on March 31, 1993. Some $18 million were set aside for the program and close to $8.1 million were claimed by Crown Corporations. The review of the Agreements proposed by the Crown corporations provided a good opportunity for the Treasury Board Secretariat to discuss the types of projects eligible for the funding program and to assist the corporations in developing such proposals. One project that received funding was a second-language test, developed and validated during the previous fiscal year, which is now being used by a number of Crown corporations.

Cost of the Program

In 1992-93, $296.5 million was spent on the Official Languages Program within federal departments, agencies, Crown corporations, parliamentary institutions and the Armed Forces compared with $305.3 million in 1991-92 (Table 24). Combined with the reductions made in 1991-92, the cost of the Program has declined by more than 11 per cent in two years. The lower costs in 1992-93 can be attributed largely to a reduction of almost $7 million in translation costs partly owing to the budget cutbacks in the Translation Bureau. Language training costs also fell by $1.4 million although an additional 200,000 hours of training were provided. The cost of the bilingualism bonus rose slightly, from $49.8 million in 1991-92 to $50.1 million, likely and in part due to the implementation of the new Regulations. Contributions under the four-year financial assistance program to Crown corporations, which ended on March 31, 1993, decreased by $800,000. The total cost of administering the Program remained constant at $56.5 million.

Table 25 shows the breakdown of costs of the various components of the Official Languages Program in federal institutions in 1992-93.

Advisory Committees

The Senior Committee on Official Languages, the Departmental Advisory Committee and the Crown Corporations Advisory Committee support the Treasury Board in its role as coordinator of the Official Languages Program.

The **Senior Committee on Official Languages**, composed of assistant deputy ministers, met during the year primarily to discuss the draft language of work policy, the Regulations and evaluation of the Program.

The **Departmental Advisory Committee**, composed of representatives from 10 federal institutions, met every two months to discuss implementation of the Official Languages program. Key issues on the agenda included implementation of the

Regulations on service to the public, especially the directives on assessment of demand for service and the definition of the concept of restricted clientele, the draft of the official languages volume of the *Treasury Board Manual*, and the impact of the new *Public Service Reform Act* (C-26). Ad hoc committees were struck to look in greater detail at issues related to the operational aspects of implementing the provisions of the Regulations.

The **Crown Corporations Advisory Committee** is composed of a dozen representatives of Crown corporations, but at least as many more representatives of other corporations, which are not directly represented, participate in the meetings regularly. In 1992-93, the key issues that the Committee considered were the implementation of the Regulations on service to the public, the Crown corporations financial assistance program and the revised official languages policies. A special subcommittee was formed to oversee a project to develop a model questionnaire on language of work. This questionnaire, which is intended for employees, should assist the Crown corporations to determine the extent to which they are fulfilling their obligation to create work environments conducive to using both official languages in the designated bilingual regions. After the questionnaire has been validated, departments and agencies could also use it for the same purpose.

Publications

In 1992-93, the Treasury Board Secretariat distributed an updated version of its successful video, *Now we're talking/Parlons-en*, which provides an explanation of the Regulations, their structure and their relationship to the *Official Languages Act.*

In July 1992, the Secretariat published an annotated version of the *Official Languages Act* intended for employees responsible for implementing the Act. The document is an important reference for making it easier to understand the Act while clarifying some of its sections. Some of the Secretariat's other new publications include a brochure on the active offer of services in both official languages entitled *Service to the Public — Getting on Board/Le service au public, moi j'embarque,* and a brochure on participating in bilingual meetings entitled *You have the floor — Using both official languages in meetings/Prendre la parole, des réunions dans les deux langues officielles.*

To meet employee demand, the Official Languages and Employment Equity Branch reprinted a number of its official languages brochures including *A Knack for Service/Servir avec brio, Reminder — Active Offer of Services in Both Official Languages/Aide-mémoire sur l'offre active de services dans les deux langues officielles* and *Chairing Meetings/La présidence des réunions.*

Chapter 3

The Situation in Federal Institutions

This third part of the annual report provides an overview of the status of the Official Languages Program in terms of service to the public, language of work and equitable participation in federal institutions. More detailed information on each of these three components is found in the tables in the Appendix.

The Treasury Board plays a crucial role in managing the Official Languages Program. In keeping with its monitoring responsibilities, it oversees the application of the various provisions of the Official Languages Regulations on service to the public and ensures that the overall management of the program meets both the needs of the public and those of the federal institutions, while recognizing the constraints within which the latter must work in carrying out their day-to-day activities. The Treasury Board also ensures that federal institutions fulfil their obligations relating to language of work and the equitable participation of English-speaking and French-speaking Canadians in federal institutions.

The Treasury Board uses a variety of tools, parameters and evaluation mechanisms to carry out its monitoring mission. The Letters of Understanding and Agreements are examples of these mechanisms. Consultations with federal institutions and official language communities and the analysis of statistical data are other means the Board uses to evaluate the effectiveness of official languages programs and to ensure that federal institutions are complying with legislative provisions and official languages policies and directives.

Trends in 1992-93

The Official Languages Program continued to move forward in 1992-93 building on the progress made in its implementation in the last few years. With the collaboration and support of the Treasury Board Secretariat, federal institutions continued to prepare for the gradual coming into effect of the applicable provisions of the Regulations and began serving the public in a manner consistent with their obligations under the legislation (see Chapters 1 and 2).

Bilingual positions again increased in number, even though the proportion of these positions to the total number of positions remained virtually the same compared to 1992 (Table 1). In addition, the number and proportion of employees with superior proficiency in the other official language continued to rise.

As for the language of work, the proportion of Public Service supervisors who met the language requirements of their positions continued to increase and their number even rose more than twice as much as the total number of supervisory positions designated as bilingual.

The participation of English-speaking and French-speaking Canadians in federal institutions remained stable and equitable overall, if the mandate and location of the offices of these institutions and the needs of the public are taken into consideration.

Service to the Public

Overall, the capacity of the Public Service to provide its services to the public in both official languages has continued to grow and improve. Between 1989 and 1992, this capacity rose by almost 12 per cent. Since 1991-92, it has increased in both absolute and relative terms. Almost 89 per cent of incumbents of bilingual positions met the language requirements of their positions (Table 6). This improvement is all the more impressive, given the level of linguistic proficiency required in these positions. In 1993, 18 per cent of positions that serve the public directly required the highest level of language proficiency, compared to 16 per cent in 1992 and 9 per cent in 1984 (Table 7).

Crown corporations have concentrated their efforts on implementing the Regulations by identifying their various clienteles and ensuring that the offices which are required under the Regulations to provide an adequate level of service in both official languages do so. Line managers have, as a result, been made more sensitive to their official languages responsibilities.

Language of Work

Progress continued to be made in language of work in 1992-93. The percentage of incumbents who are required to provide services to other Public Service employees and who met the language requirements of their positions rose two points to 87 per cent, changing the trend for the first time in three years of a single percentage point increase. It is also the first time that the levels reached in 1984, the year in which the linguistic requirements were upgraded, have been surpassed. The proportion of positions requiring a superior level of second-language proficiency also rose by one per cent between 1992 and 1993 to 13 per cent and the number of these positions more than doubled since 1984 (Table 9). As was mentioned earlier, comparable progress has also been achieved in terms of supervisory positions (Tables 10 and 11). The Treasury Board plans to continue focusing on this important component of the program and to encourage in particular leadership from senior management and supervisors given that the Act recognizes the importance of their role in the creation of work environments conducive to the use of both official languages.

In 1992-93, Crown corporations, like departments and agencies, put more emphasis on service to the public than on language of work following the implementation of some of the provisions of the Regulations. Nevertheless, they made some significant gains with regard to language of work in several key areas. A good number of managers in Crown corporations received the language training required to be able to communicate with their subordinates in the official language of their choice. Moreover, thanks in part to the financial assistance program, Crown corporations translated several work instruments and ensured that most automated information systems reflected the equality of status of both official languages. Finally, they are developing a questionnaire on the use of the official languages at work which will permit them to determine the degree to which they meet their obligations in this regard and allow them to make improvements, if needed.

Participation

As was mentioned earlier, the global participation of English-speaking and French-speaking Canadians in federal institutions has remained stable and equitable. Participation rates in the Public Service (Table 12) and in federal institutions as a whole (Table 21) have remained unchanged since 1984. However, there has been a slight improvement in the participation of French-speaking members in the Royal Canadian Mounted Police in the National Capital Region and in the Atlantic provinces (excluding New Brunswick), and in the participation of English-speaking members in Quebec (Table 18).

Participation in Crown corporations has remained stable with gains made in some areas being offset by losses in others, both in the participation by region and by occupational category. In terms of equitable participation, some weaknesses still persist. However, federal institutions have been made aware of them and have taken corrective measures. While the overall situation is satisfactory, progress is still required in some areas, such as Anglophone

participation in some departments in Quebec (Table 13). The Treasury Board will continue to remind federal institutions of the importance of their commitment to equitable participation and taking measures to ensure equal opportunities for employment and advancement for members of both linguistic groups.

Evaluation Instruments

While the President of the Treasury Board is required to report to Parliament on the application of Parts IV, V and VI of the *Official Languages Act*, the parts on service to the public, language of work and equitable participation respectively, each federal institution is responsible for implementing these Parts within its sector of activities and to report on the status of implementation annually.

To increase the effectiveness of the Program and obtain as accurate an idea as possible of the status of official languages in federal institutions, the Official Languages and Employment Equity Branch assesses the delivery of services to the public in both official languages, language of work and equitable participation. In order to do so, the Branch uses a number of evaluation instruments, description of which follows:

- the Official Languages Information System (OLIS) which uses the data provided by each institution to develop a relatively accurate quantitative picture of the status of official languages in federal institutions as a whole;

- the Annual Management Reports called for in the Letters of Understanding with federal departments and in the Agreements with the Crown corporations signed with the Treasury Board; these reports indicate the progress made by federal institutions during the year as well as the measures that they have taken under the Letters of Understanding and Agreements. On the basis of these reports complemented by those of the Public Service Commission, the Office of the Commissioner of Official Languages and the results of special studies carried out from time to time, the Treasury Board can determine the extent to which each institution is complying with the Act and Regulations and has fulfilled its commitments;

- consultation with senior officials and the people responsible for official languages in federal institutions is another important evaluation mechanism. It not only makes it easier to evaluate the Regulations and policies, but also provides an opportunity to improve program management. In 1992-93, the introduction of the Official Languages Information Network (OLIN) enhanced the effectiveness of the consultative process.

Statistical Annex

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

Some notes and definitions appear at the end of this section to make it easier to understand the tables.

Statistical Tables

Public Service

1. Language Requirements of Positions
2. Bilingual Positions and Pool of Bilingual Employees
3. Language Requirements of Positions by Region
4. Bilingual Positions: Linguistic Status of Incumbents
5. Bilingual Positions: Second-Language Level Requirements
6. Service to the Public: Bilingual Positions — Linguistic Status of Incumbents
7. Service to the Public: Bilingual Positions — Second-Language Level Requirements
8. Internal Services: Bilingual Positions — Linguistic Status of Incumbents
9. Internal Services: Bilingual Positions — Second-Language Level Requirements
10. Supervision: Bilingual Positions — Linguistic Status of Incumbents
11. Supervision: Bilingual Positions — Second-Language Level Requirements
12. Participation of Anglophones and Francophones
13. Participation by Region
14. Participation by Occupational Category

Crown Corporations

15. Participation by Region of Anglophones and Francophones
16. Participation of Anglophones and Francophones by Occupational Category

Separate Employers

17. Participation of Anglophones and Francophones by Occupational Category

Royal Canadian Mounted Police

18. Participation by Region of Anglophone and Francophone Members
19. Participation by Occupational Category

National Defence

20. Participation by Region of Anglophone and Francophone Canadian Forces Personnel

Employees of All Federal Institutions

21. Participation of Anglophones and Francophones

Training and Translation

22. Language Training (All Suppliers)
23. Official Languages Translation

All Federal Institutions

24. Official Languages Program Costs
25. Official Languages Program Costs by Subject

Information Sources

Most of the data in the following tables have been drawn from the Official Languages Information System (OLIS). The data in OLIS are supplied by the federal institutions. The system has two components. The first contains data on federal institutions for which the Treasury Board is the employer — that is, the departments and agencies listed in Schedule 1, Part 1 of the *Public Service Staff Relations Act* (PSSRA). The Canadian Armed Forces (military personnel) and the members of the Royal Canadian Mounted Police are not covered by the PSSRA. The second component of the system includes data from the Crown corporations, military staff of the Canadian Armed Forces and other federal institutions for which Treasury Board is not the employer. OLIS does not contain information on persons hired for periods of less than six months.

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

Interpretation of the Data

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

Validity of the Data

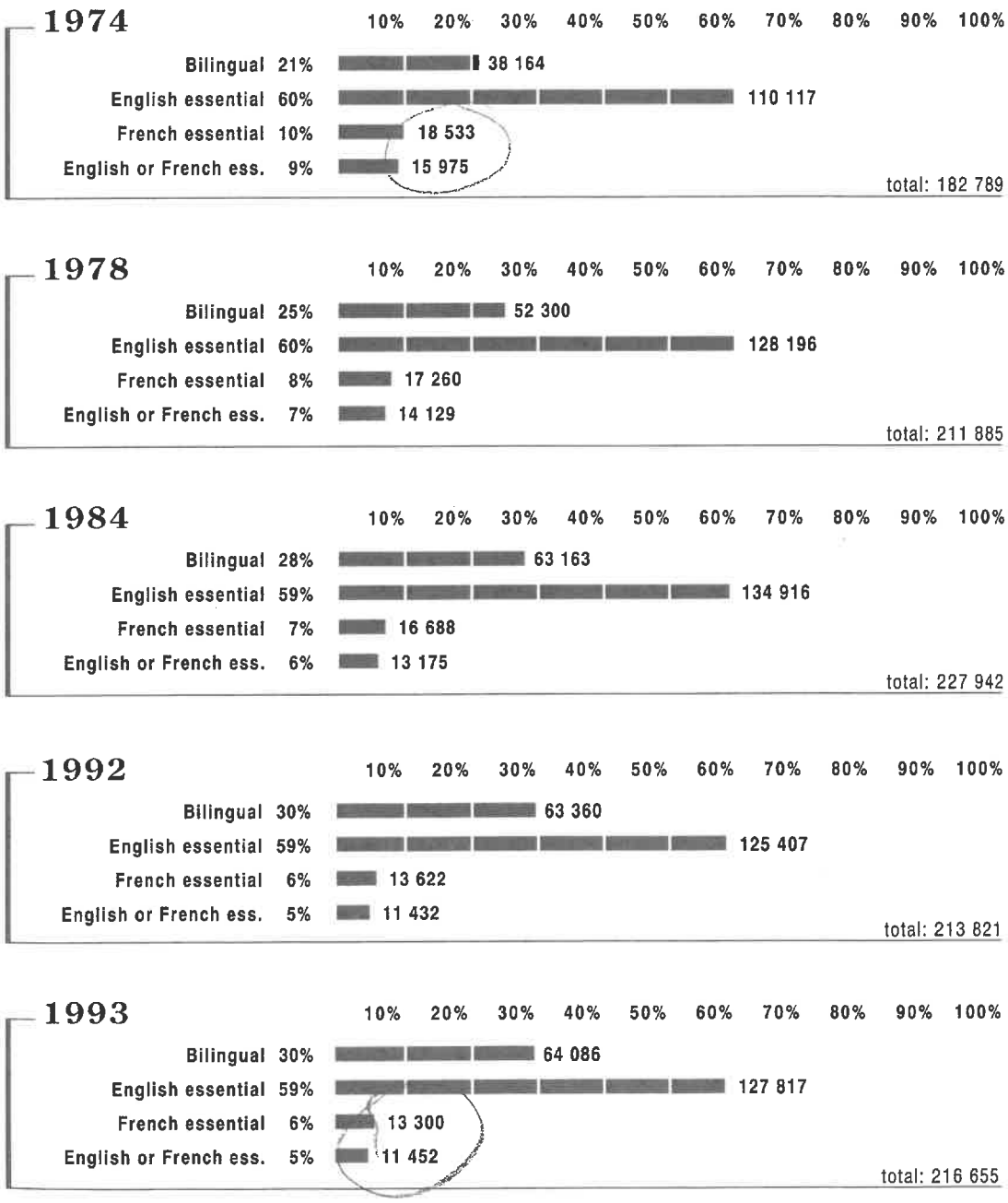
OLIS data are supplied by the departments and agencies which are also responsible for updating it. OLIS data have been modified over the years for the following reasons:

- the creation or elimination of departments and agencies;
- the transformation of certain departments into Crown corporations (such as the Canada Post Corporation);
- the change of data sources; since 1987, data on employees have been drawn from the Pay/Incumbents systems;
- changes made to the population included in the OLIS data;
- changes in language proficiency evaluation tests used by the Public Service Commission.

The Treasury Board Secretariat is constantly striving to standardize the variables in the statistical reports on official languages on the service to the public, language of work and equitable participation.

Table 1:

Language Requirements of Positions in the Public Service



OLIS data

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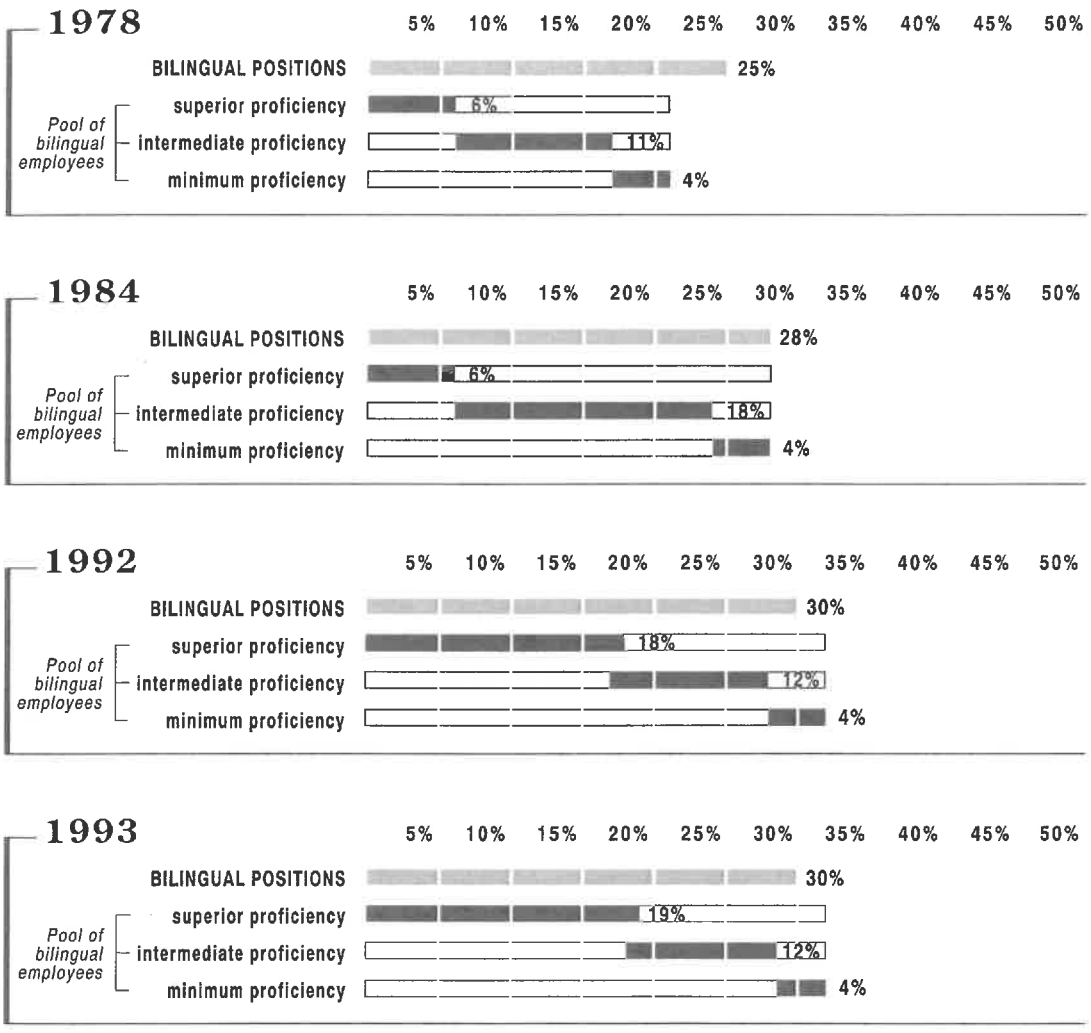
Table 2:

Bilingual Positions and Pool of Bilingual Employees in the Public Service

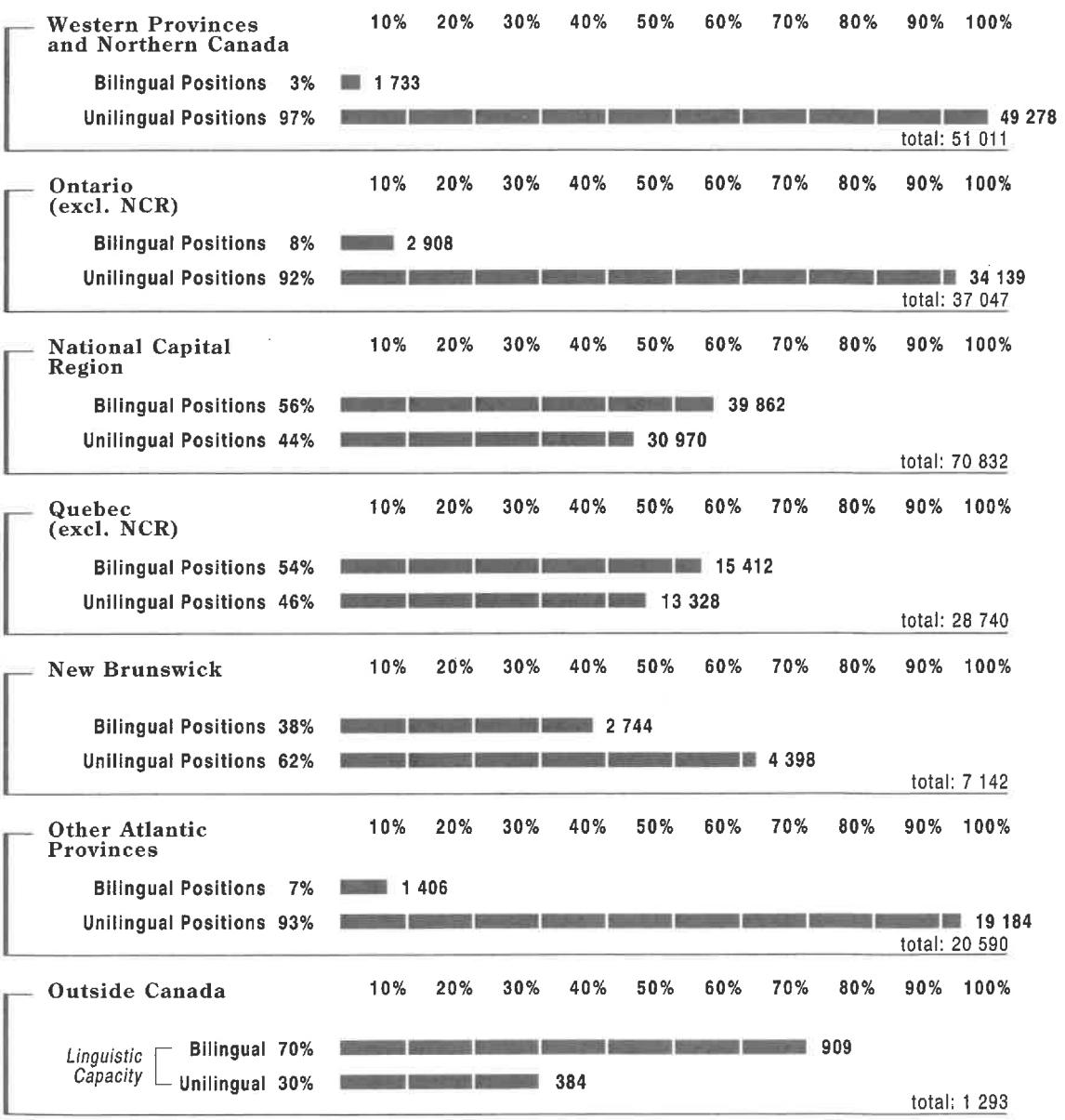


OLIS data

Table 3:

Language Requirements of Positions in the Public Service

by Region
March 31, 1993



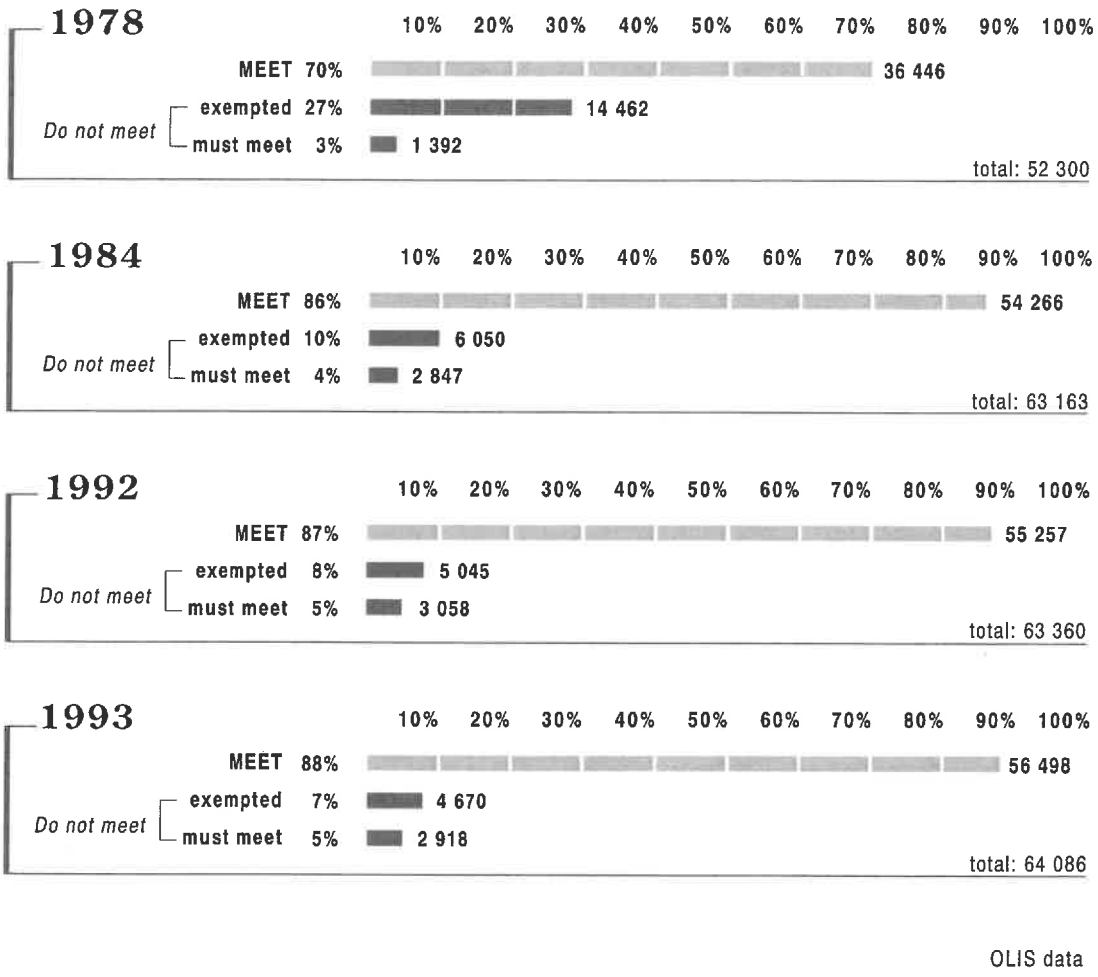
OLIS data

OL

Table 4:

Bilingual Postions in the Public Service

Linguistic Status of Incumbents

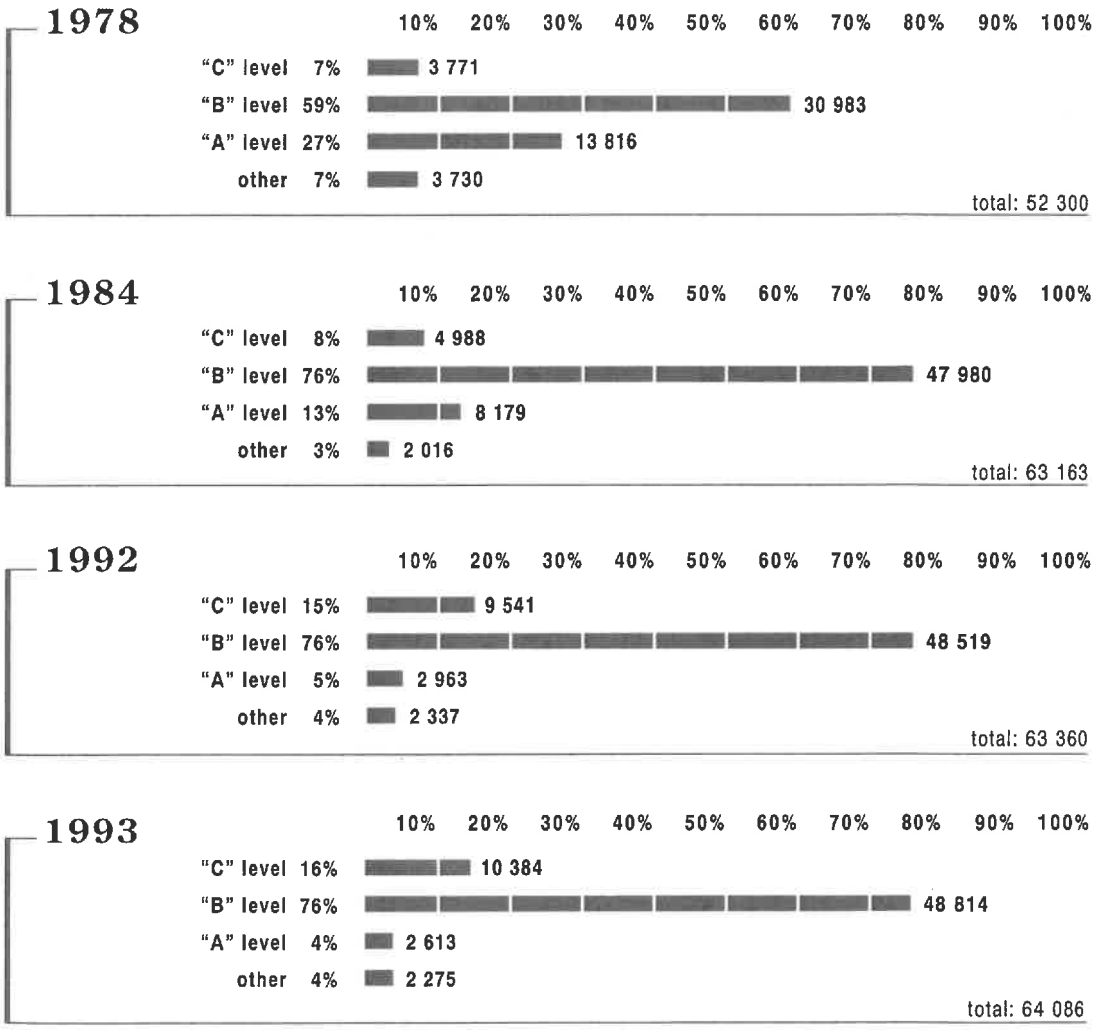


OLIS data

Table 5:

Bilingual Positions in the Public Service

Second-Language Level Requirements



OLIS data

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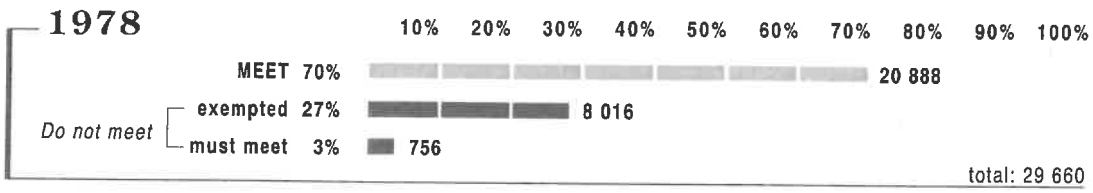
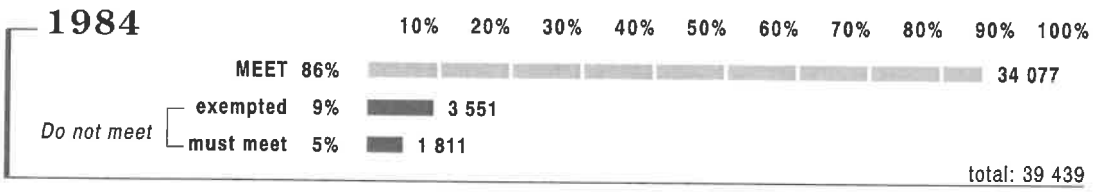
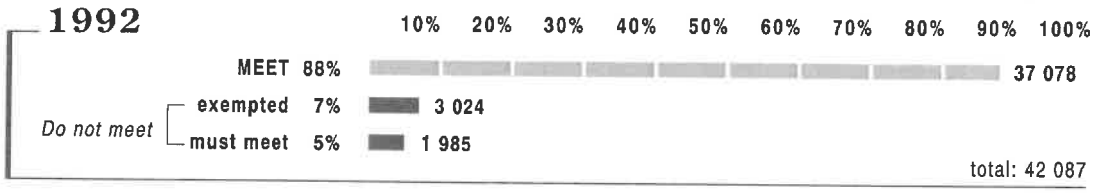
Table 6:

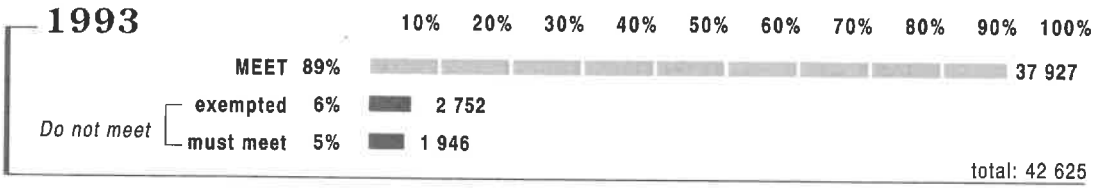
Service to the Public — Public Service

Bilingual Positions
Linguistic Status of Incumbents







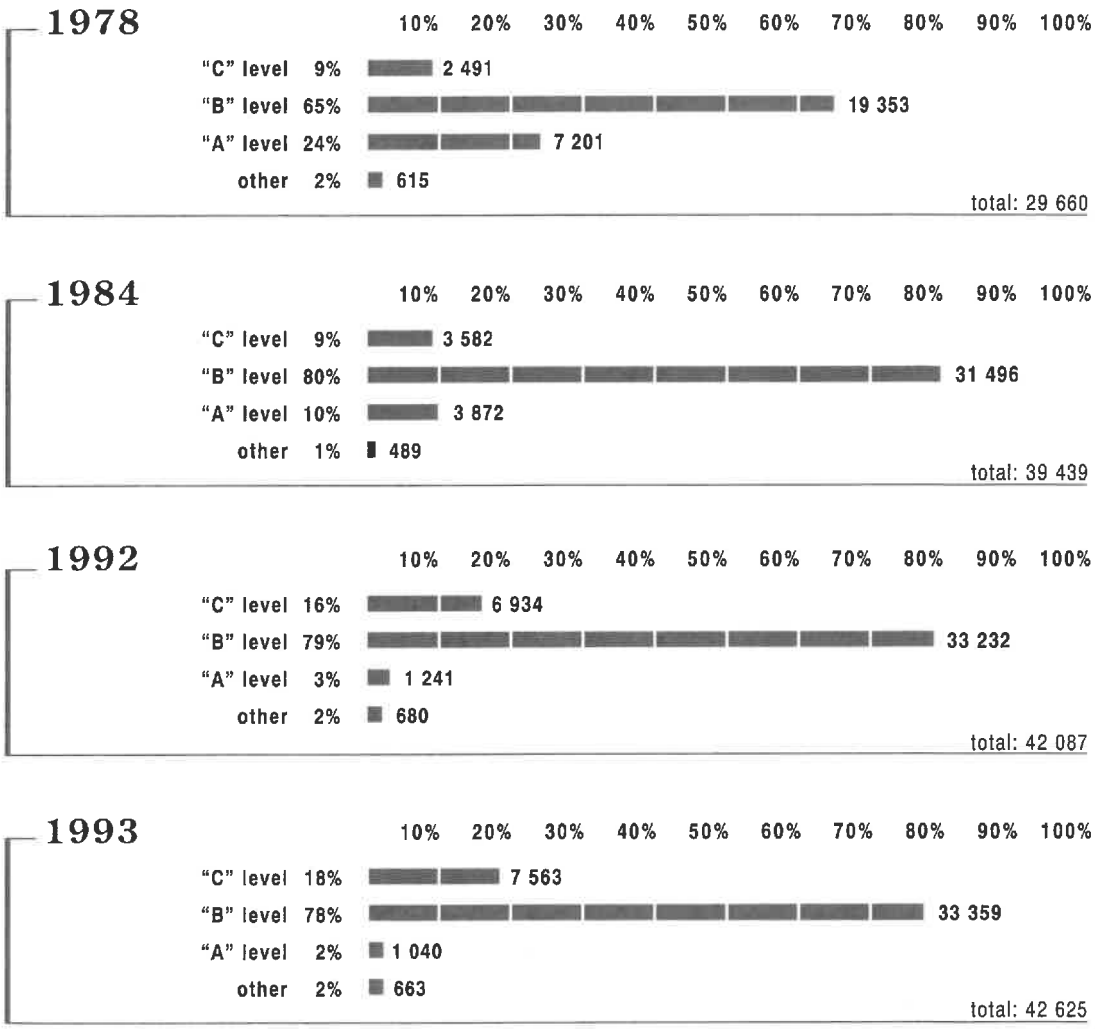


OLIS data

Table 7:

Service to the Public — Public Service

Bilingual Positions
Second-Language Level Requirements

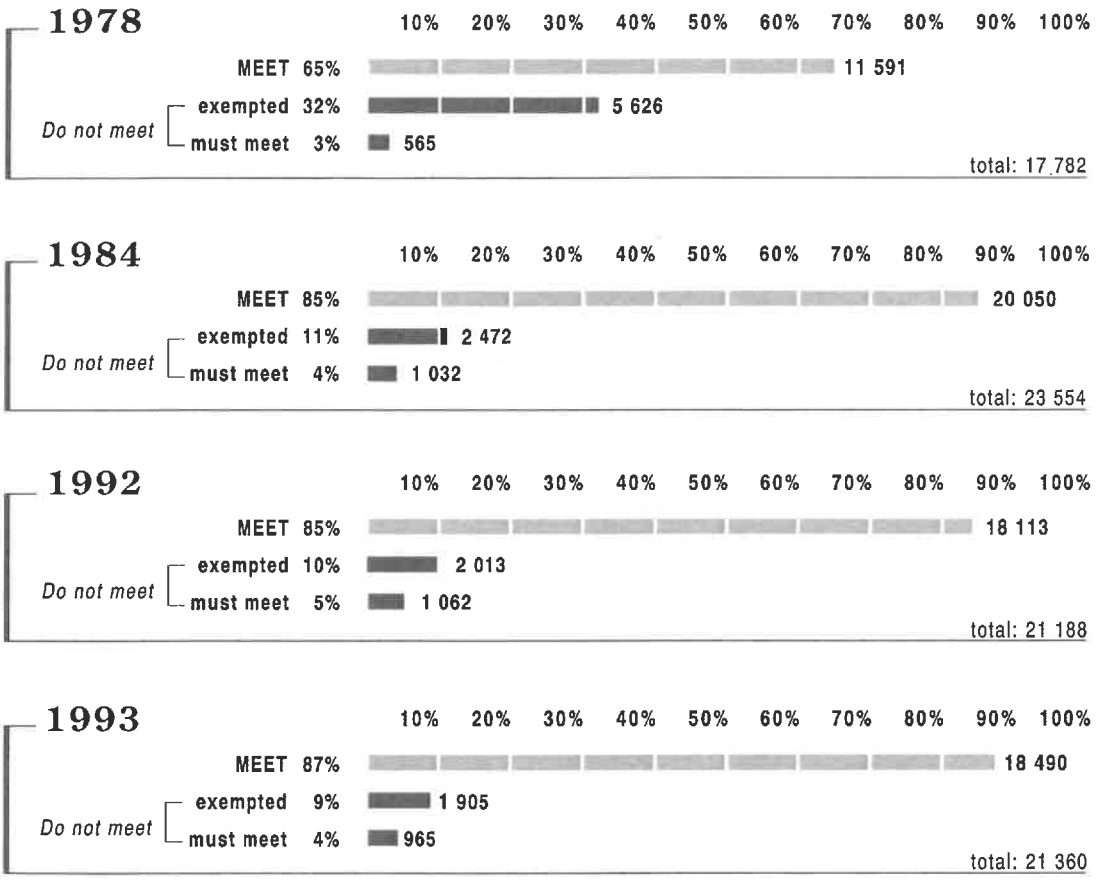


OLIS data

Table 8:

Internal Services — Public Service

Bilingual Positions
Linguistic Status of Incumbents

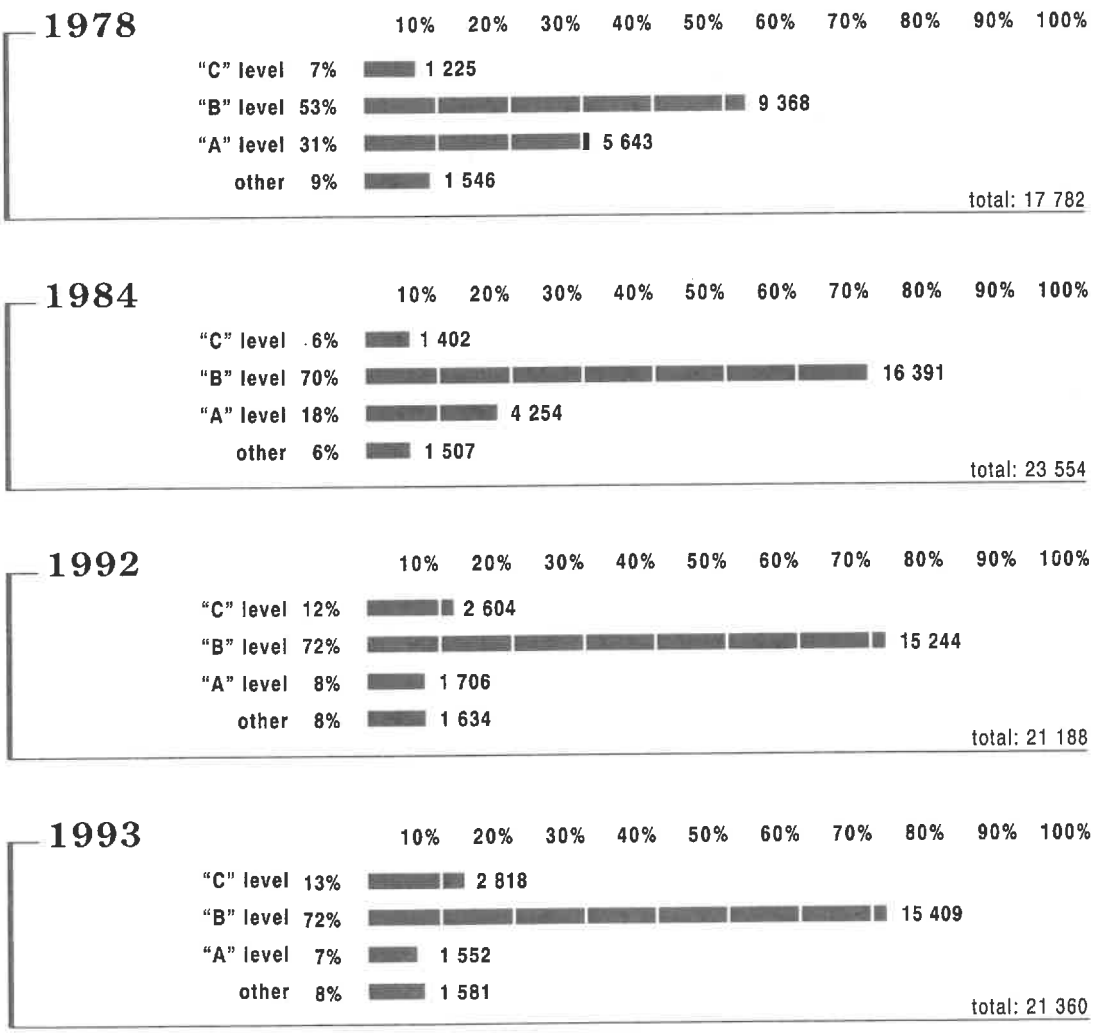


OLIS data

Table 9:

Internal Services — Public Service

Bilingual Positions
Second-Language Level Requirements



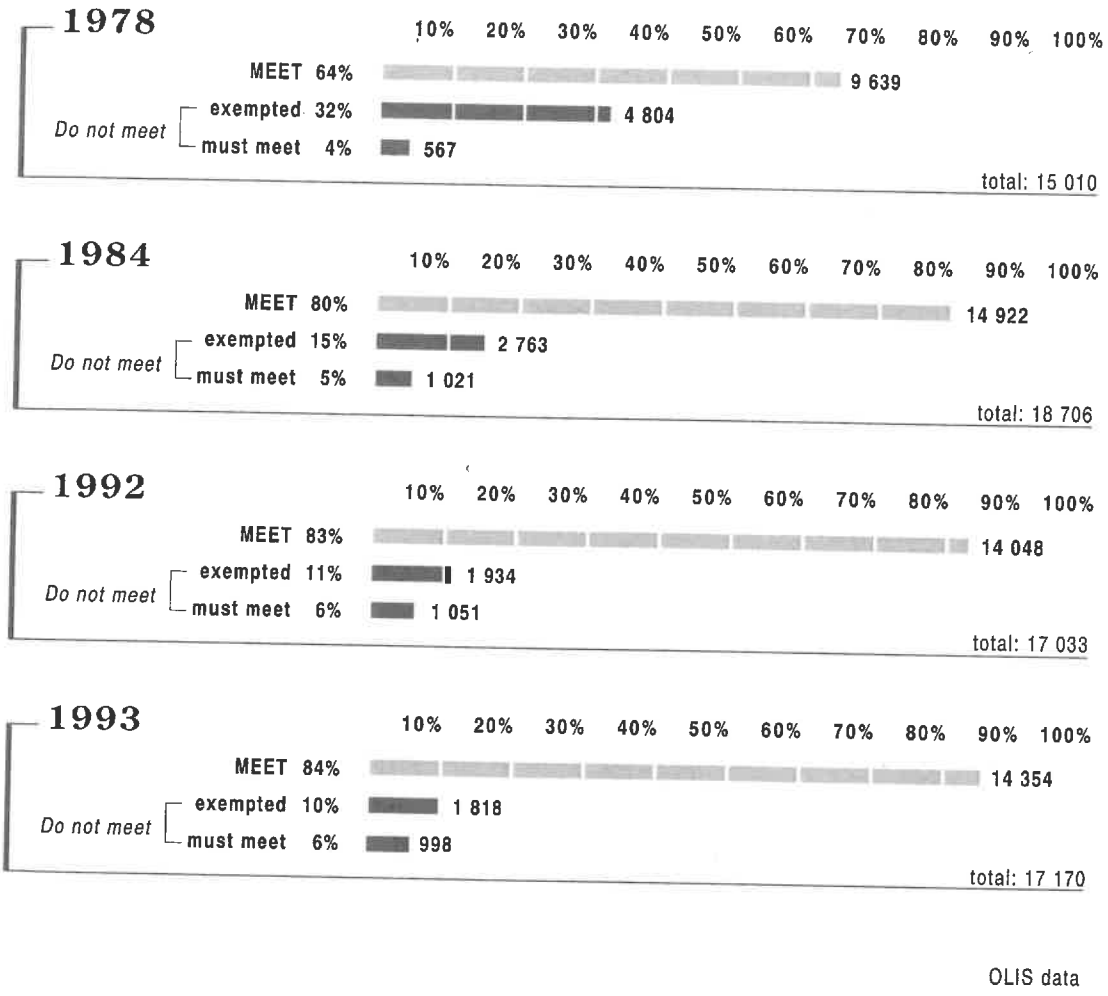
OLIS data

OL

Table 10:

Supervision — Public Service

Bilingual Positions
Linguistic Status of Incumbents

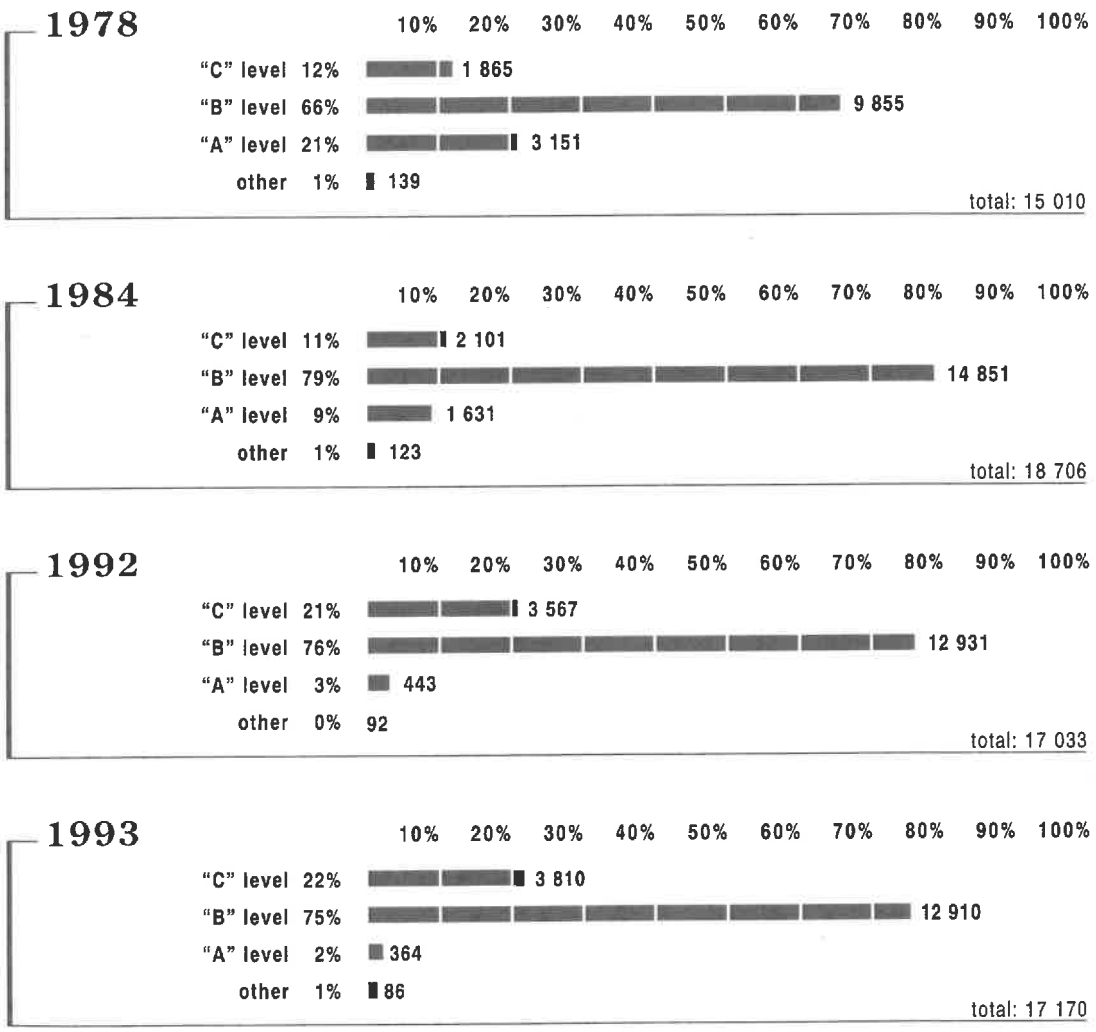


OLIS data

Table 11:

Surpervision — Public Service

Bilingual Positions
Second-Language Level Requirements



OLIS data

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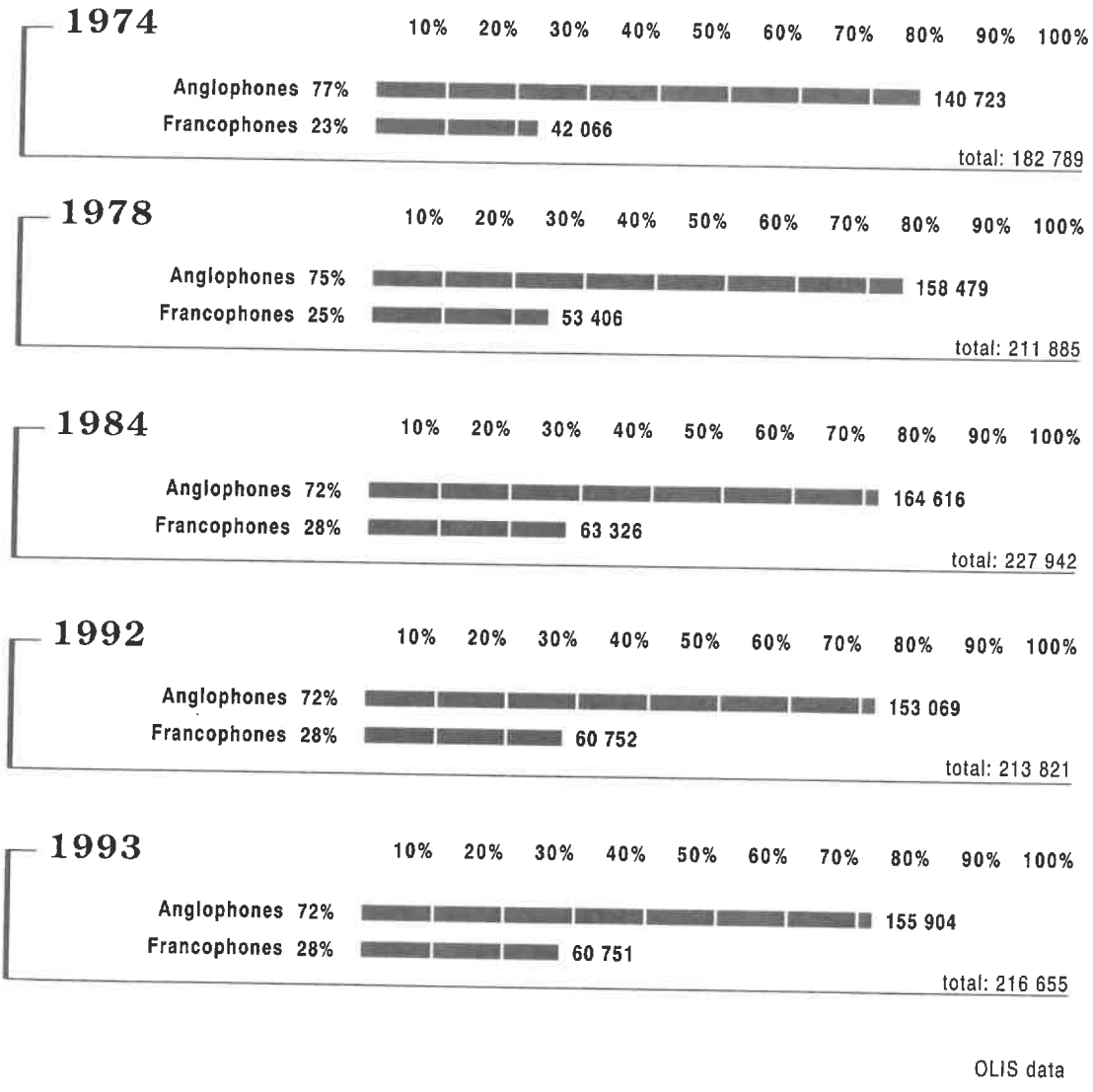
Table 12:

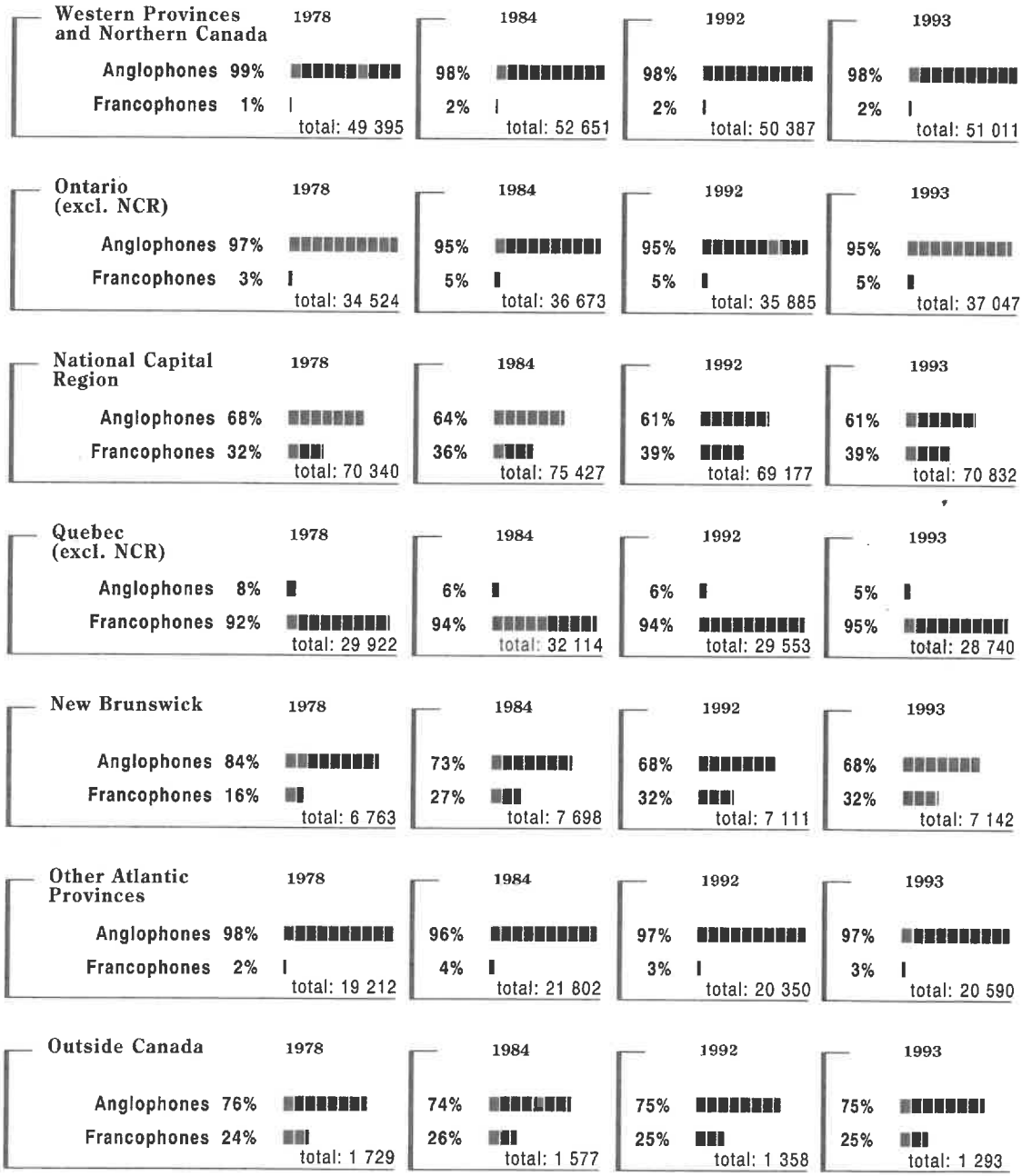
Participation of Anglophones and Francophones in the Public Service



OLIS data

Table 13:

Participation by Region in the Public Service



OLIS data

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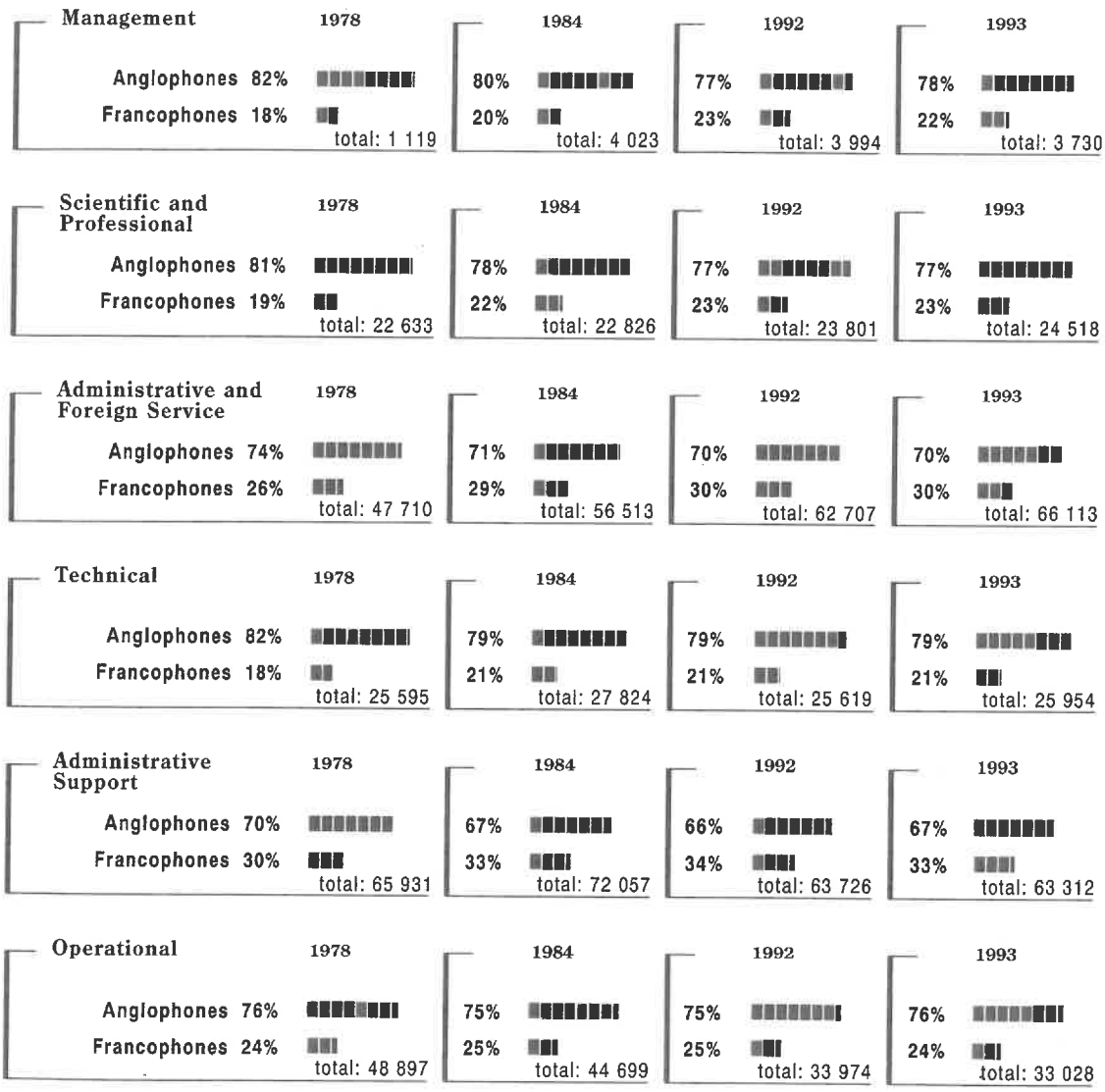
Table 14:

Participation by Occupational Category in the Public Service

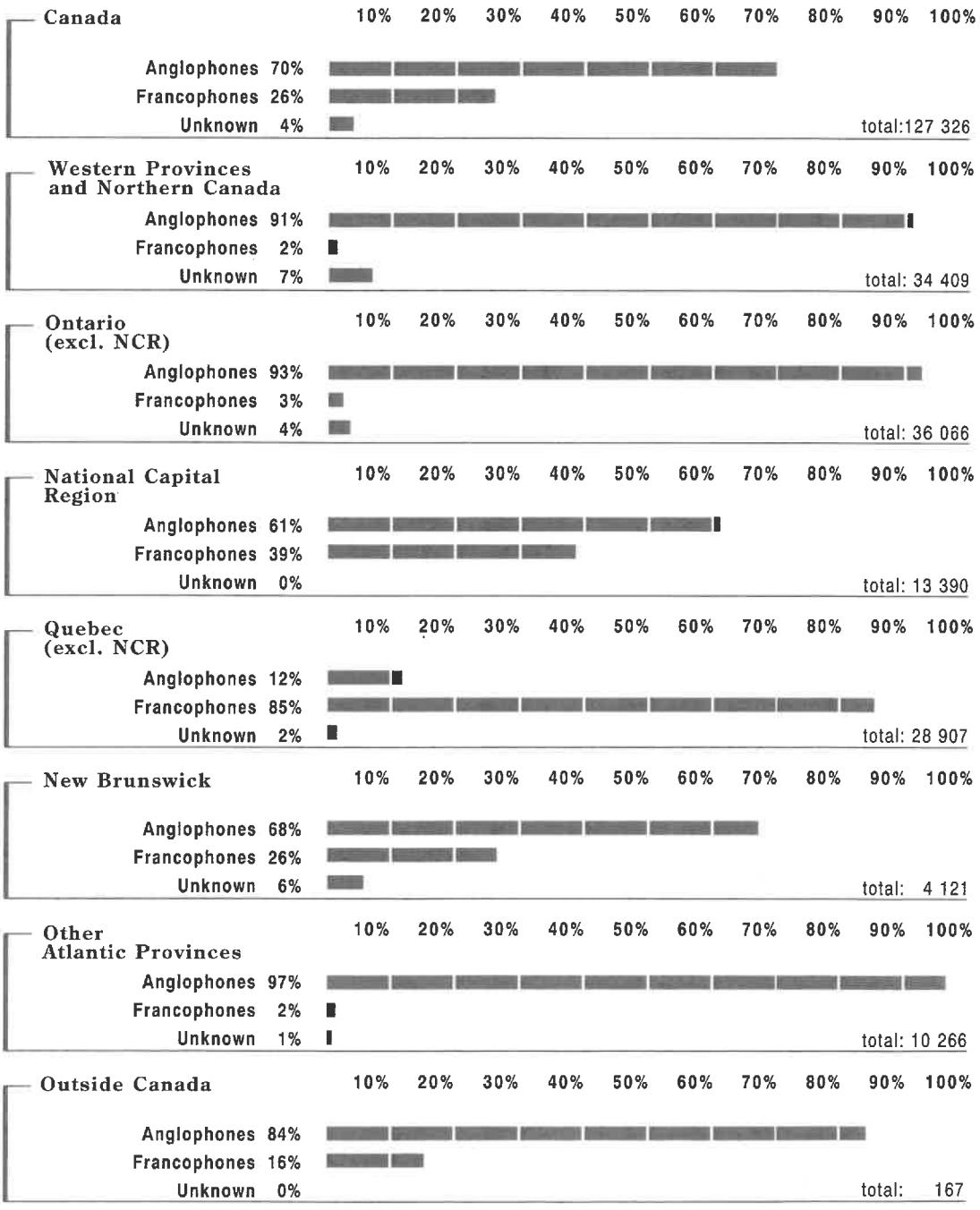


OLIS data

Table 15:

Participation by Region of Anglophones and Francophones in Crown Corporations

1992



OLIS II data

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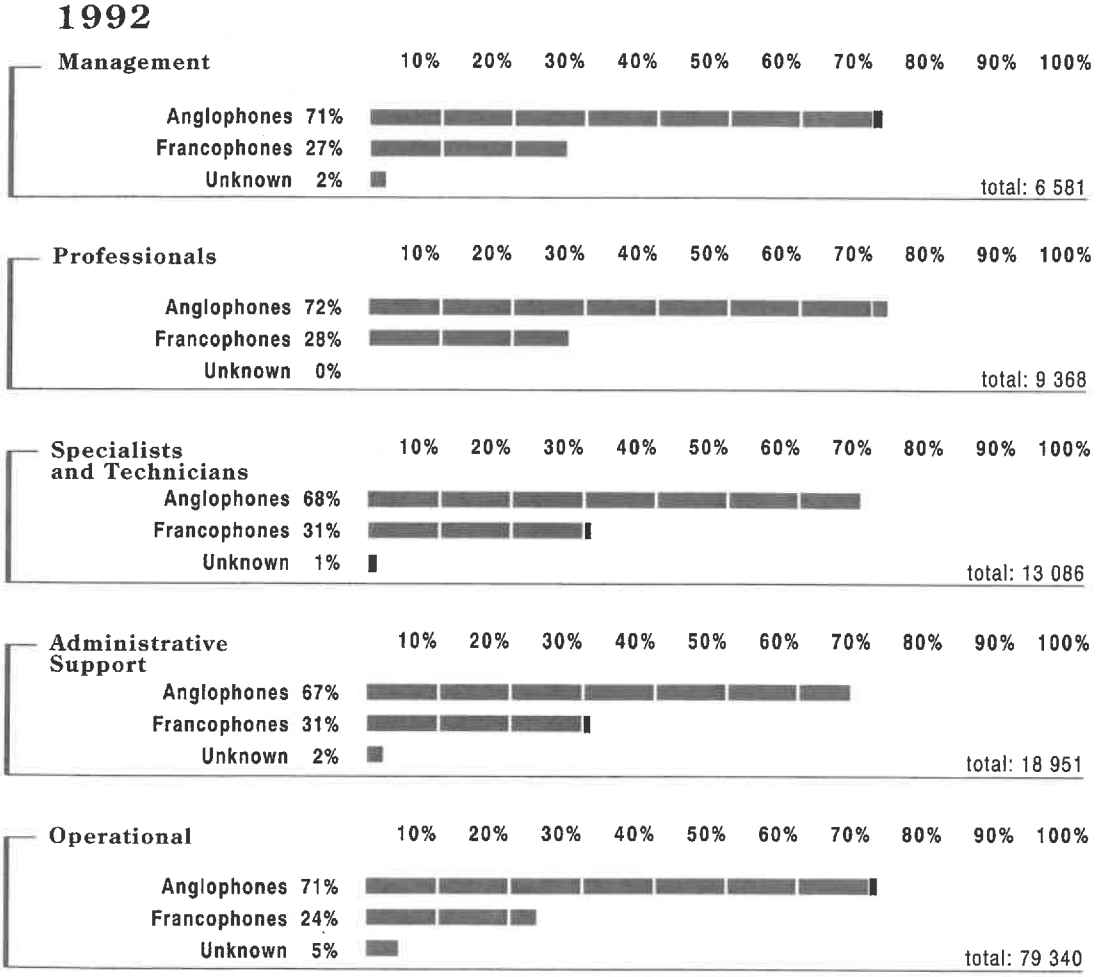
Table 16:

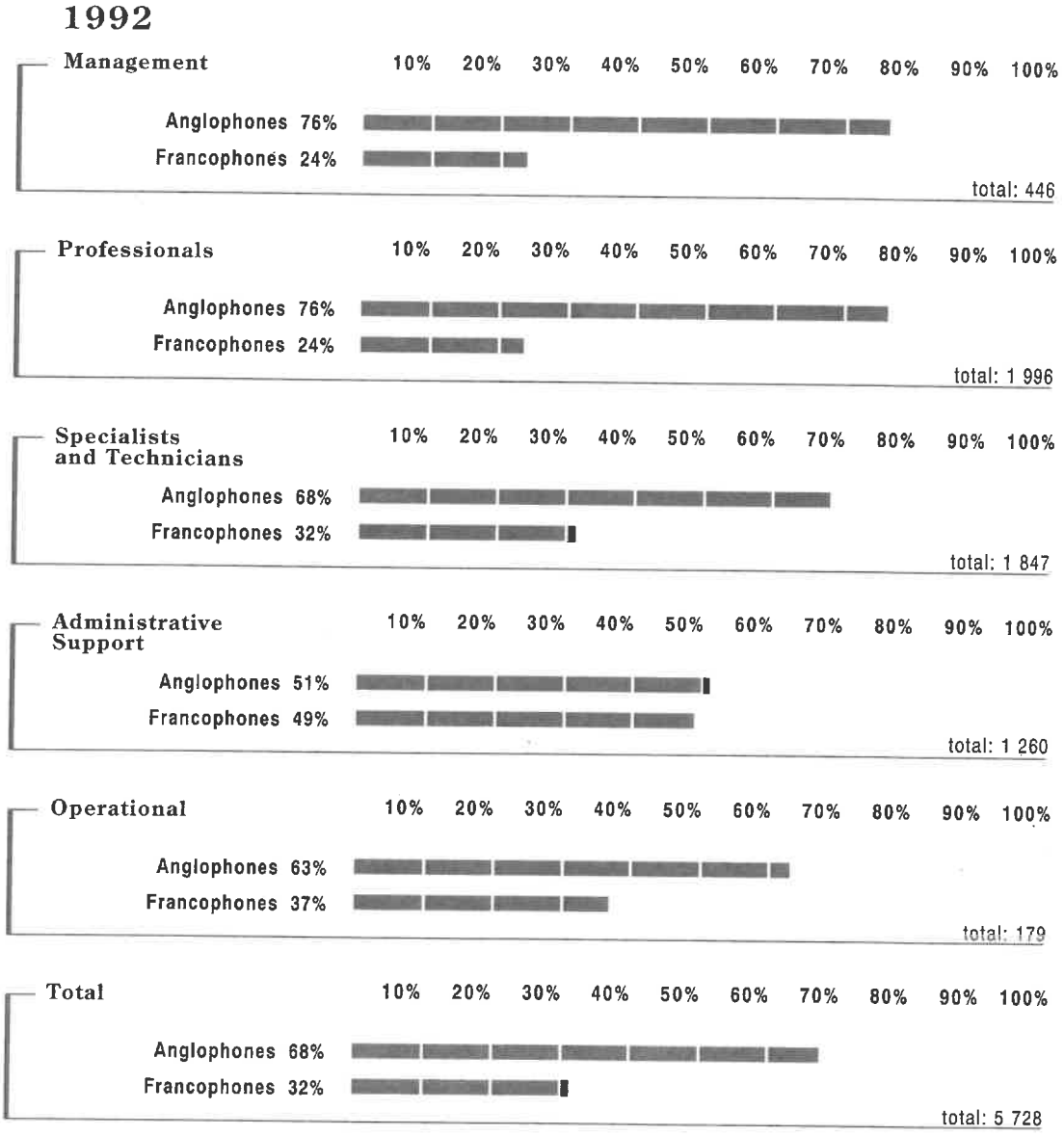
Participation of Anglophones and Francophones in Crown Corporations by Occupational Category



OLIS II data

Table 17:

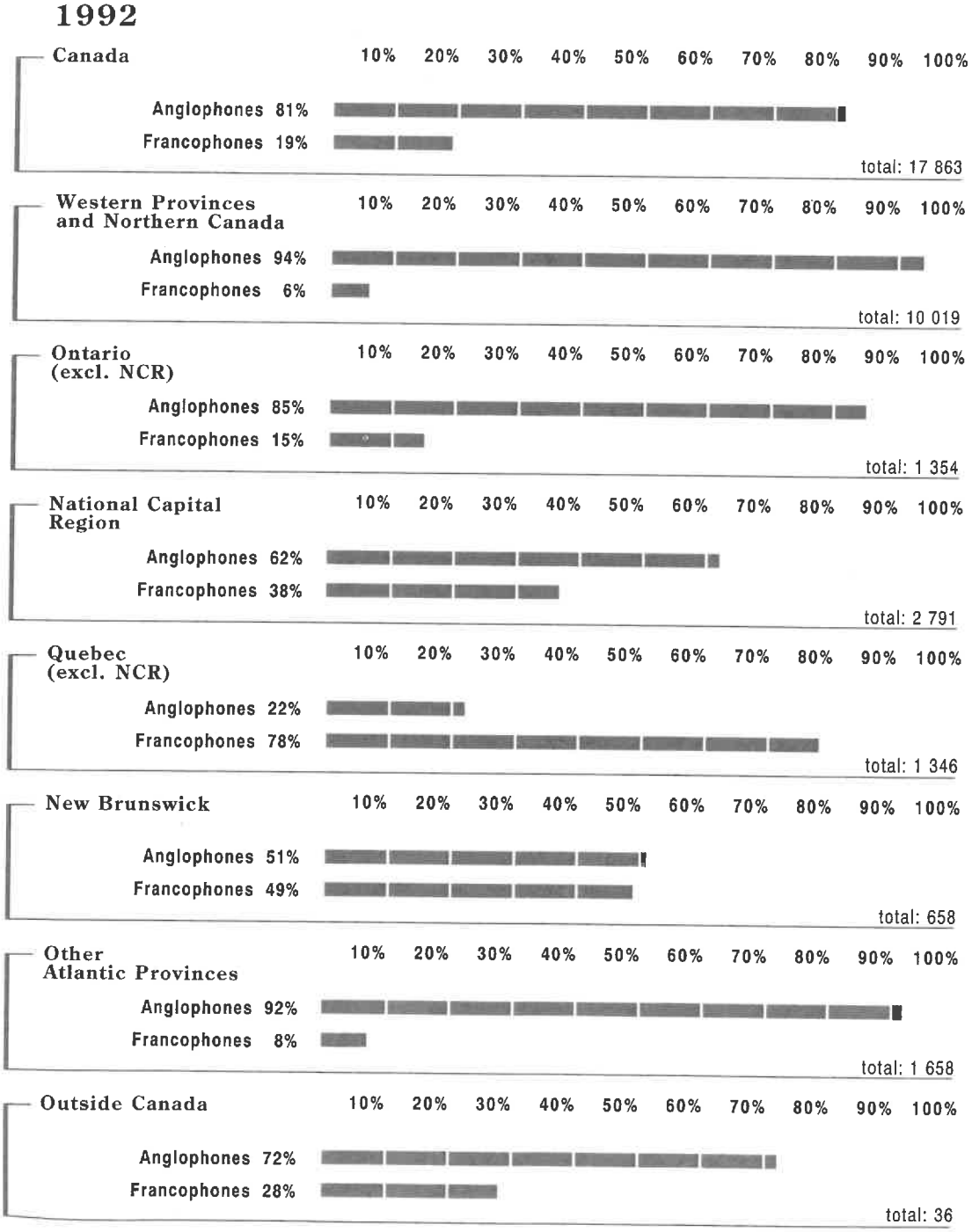
Participation of Anglophones and Francophones Employed by Separate Employers by Occupational Category



OLIS II data

Table 18:

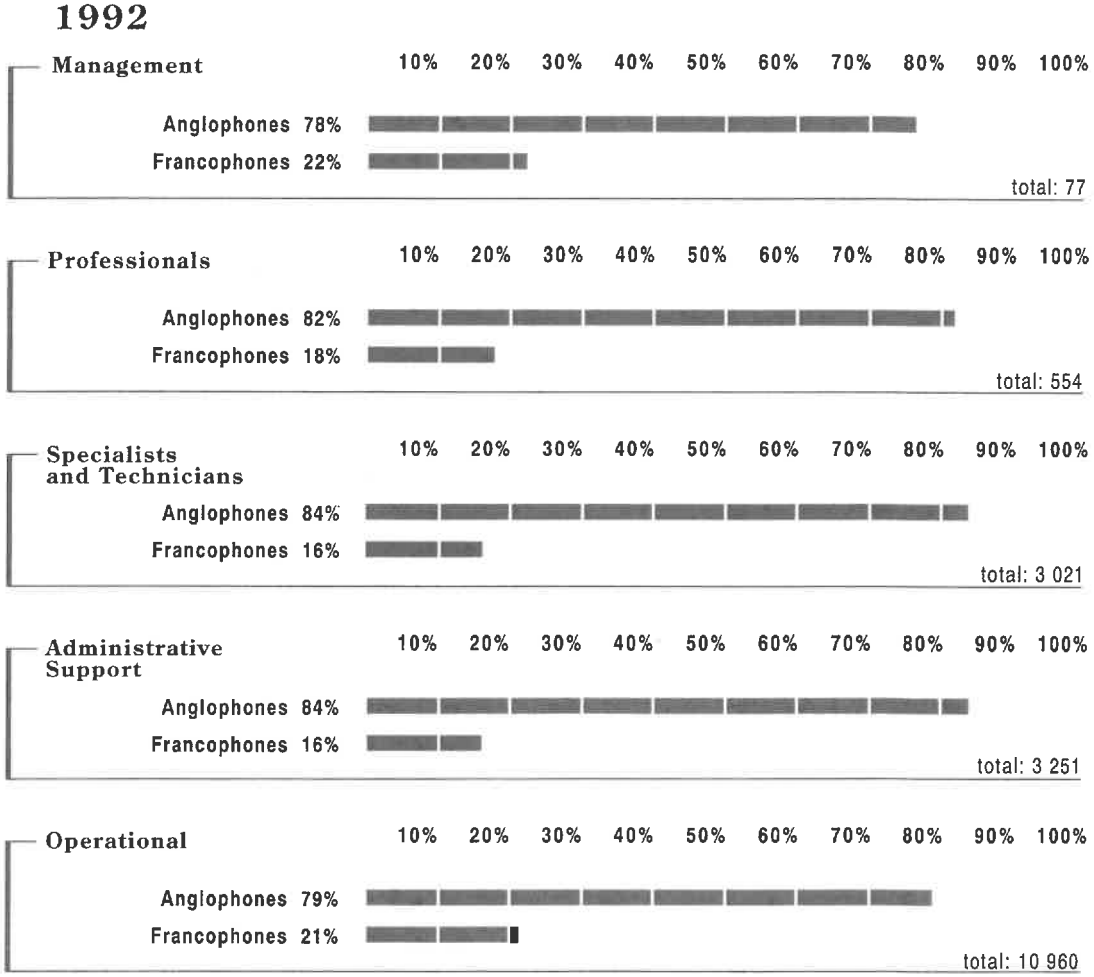
Participation by Region of Anglophone and Francophone Members of the Royal Canadian Mounted Police



OLIS II data

Table 19:

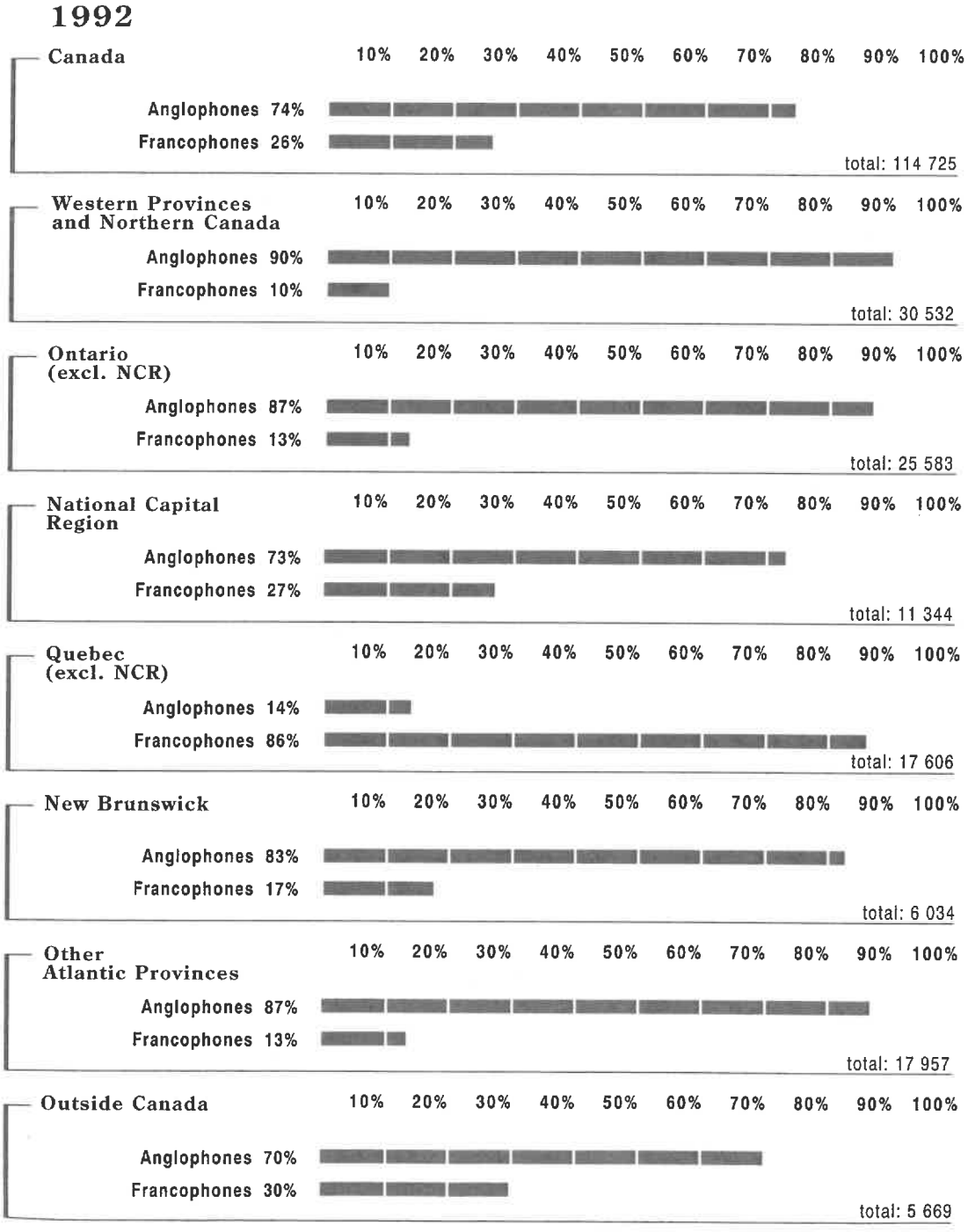
Participation of Members of the Royal Canadian Mounted Police by Occupational Category



OLIS II data

Table 20:

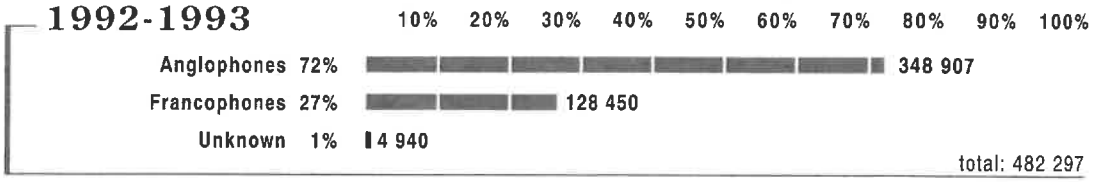
Participation by Region of Anglophone and Francophone Canadian Forces Personnel



OLIS II data

Table 21:

Participation of Anglophones and Francophones Employed in All Federal Institutions

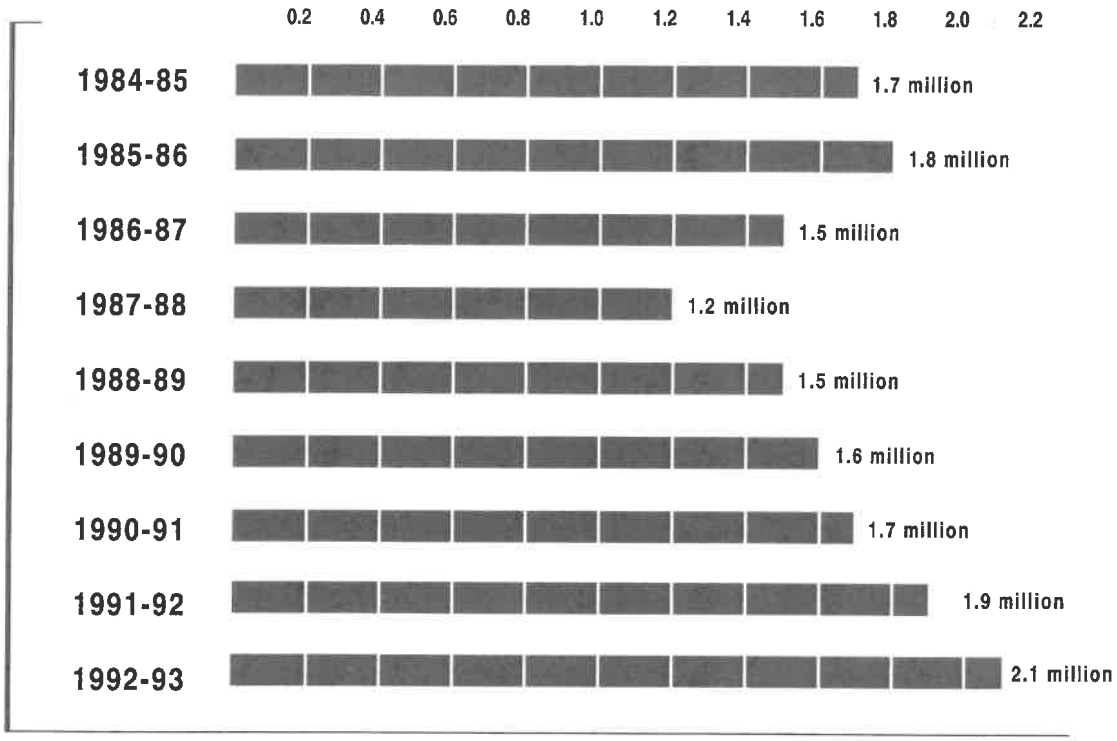


OLIS and OLIS II data

Table 22:

Language Training (in hours)

All Suppliers

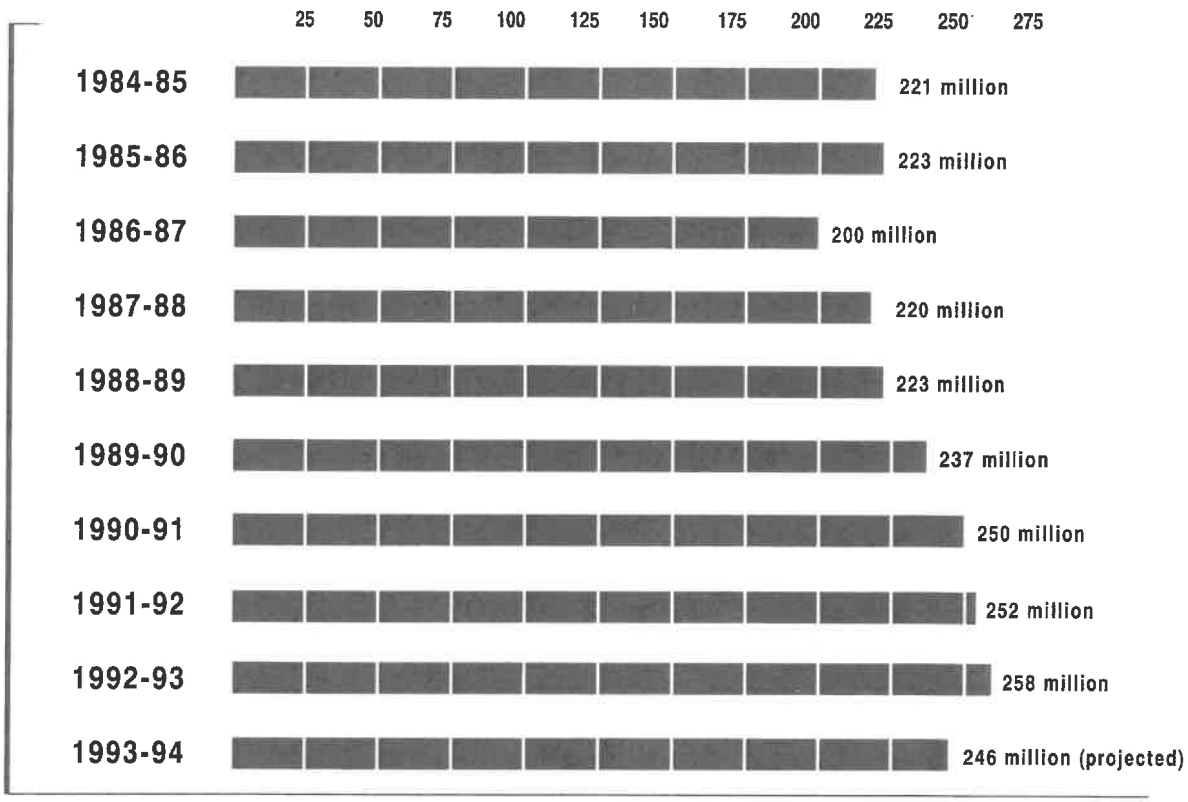


Language Training Module/Language Training System data

Table 23:

Official Languages Translation (in words)

Departments and Agencies

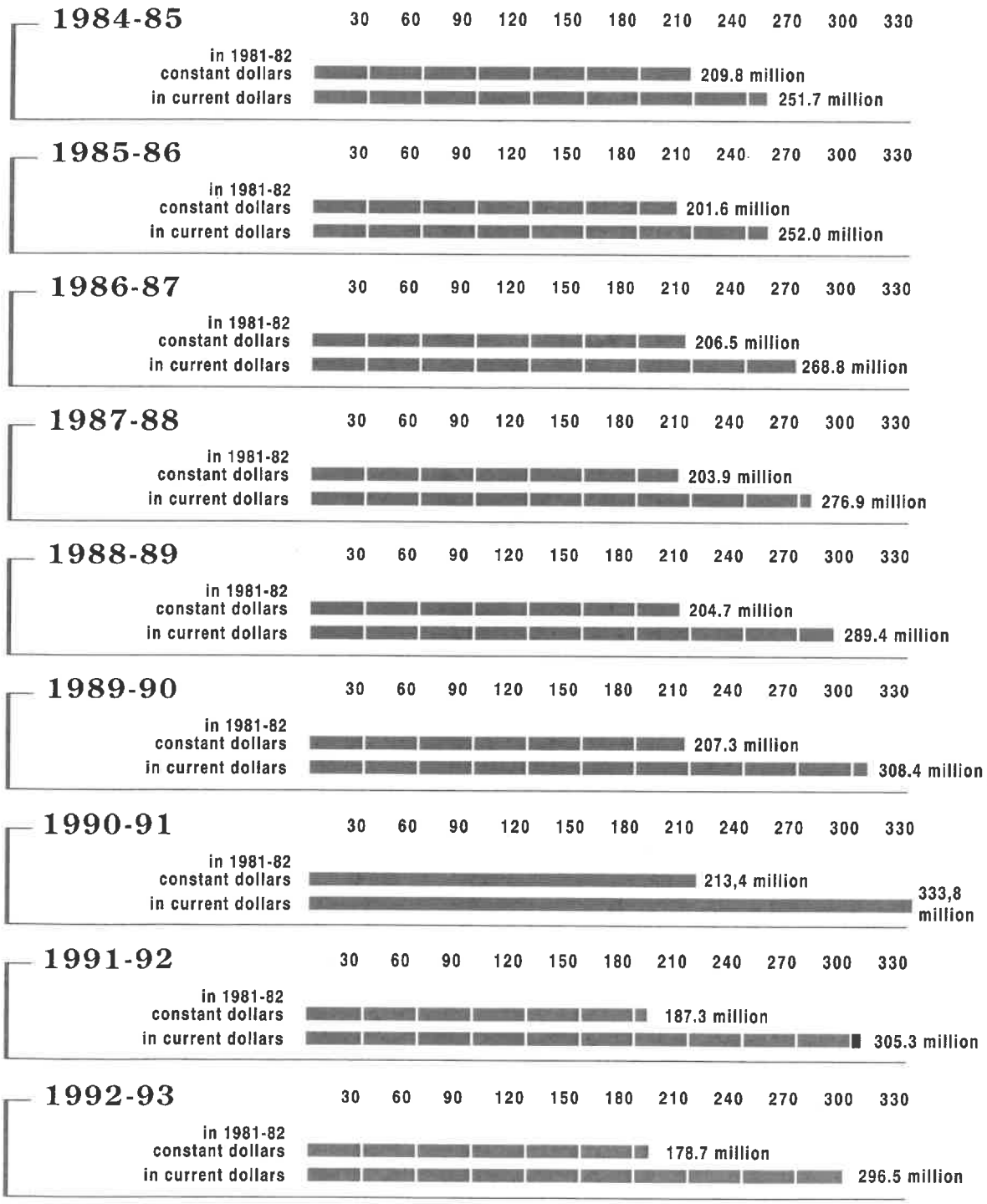


Secretary of State data

OL

Table 24:

Official Languages Program Costs within Federal Institutions



Treasury Board Secretariat data

Table 25:

Official Languages Program Costs within Federal Institutions by Subject

Subjects	1992-1993 Actual Expenditures (millions $)
Translation	
Translation Bureau (1)	91.4
Departments and Agencies	8.3
Crown Corporations, Parliamentary Institutions (2), Canadian Forces and other Departments and Agencies (3)	15.4
Total	115.1
Language Training	
Public Service Commission	28.9
Departments and Agencies (4)	14.6
Crown Corporations, Parliamentary Institutions, Canadian Forces and other Departments and Agencies (3),(4)	28.3
Total	71.8
Bilingualism Bonus	
Departments and Agencies	48.6
Other Departments and Agencies (3)	1.5
Total	50.1
Administration and Implementation (5)	
Treasury Board — OLEEB	4.8
Public Service Commission (6)	2.9
Departments and Agencies	31.7
Crown Corporations, Parliamentary Institutions, Canadian Forces and other Departments and Agencies (3)	17.1
Total	56.5
Contributions to Crown Corporations (Language of Work Assistance Program)	3.0
GRAND TOTAL	296.5

NOTES

1. Translation Bureau's costs include those of translation and interpretation of Official Languages provided to Departments and Agencies, Parliamentary Institutions and Canadian Forces, but not for multilingual and sign-language; receipts and amounts recovered have been deducted. Costs incurred by Departments and Agencies, Parliamentary Institutions, Canadian Forces and Crown Corporations are not included in the Translation Bureau's costs.
2. Includes House of Commons, Senate and Library of Parliament.
3. Includes departments and agencies listed in Schedule 1, Part 2 of the Public Service Staff Relations Act (PSSRA).
4. Includes costs of language training given or paid by federal institutions and purchased from the Public Service Commission, and private and parapublic suppliers. Included as well are travel expenses related to training and reimbursement of tuition fees.
5. Includes salaries of employees who work 50% or more of their time on the administration of the Program, and other expenses such as information services, rent, professional and special services.
6. Includes Public Service Commission costs for the application of the Official Languages Exclusion Order of the Public Service Employment Act (PSEA) and the administration of the Second Language Evaluation.

Technical notes and definitions

Table 1

Language requirements of positions in the Public Service

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

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

Table 2

Bilingual positions and pool of bilingual employees in the Public Service

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

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

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

Table 3

Language requirements of positions in the Public Service by region

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

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

Table 4

Bilingual positions in the Public Service

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

1. *Meet* the language requirements of their positions;
2. Are exempted from meeting the language requirements of their positions. Government policy allows that, under specific circumstances, an employee may:
   - apply for a bilingual position staffed on a non-imperative basis, i.e., without having to meet the language requirements of the position. This normally applies to employees with long records of service, employees with a

disability preventing them from learning a second language, and employees affected by a reorganization, transfer or lay-off;

- remain in a bilingual position without having to meet the new language requirements of the position. This includes incumbents of unilingual positions reclassified as bilingual, or incumbents of bilingual positions where the language requirements have been raised;

3. *Must* meet the language requirements of their positions, in accordance with the Exclusion Order on Official Languages under the *Public Service Employment Act*, which grants employees a period of time to acquire the language proficiency required for their positions.

The number of exemptions has declined steadily, falling from 27 per cent in 1978 to 10 per cent in 1984 and 7 per cent in 1993. The number of employees who meet the requirements of their positions has risen from 70 per cent in 1974 to 88 per cent in 1993.

Table 5

Bilingual positions in the Public Service

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

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

Table 6

Service to the Public — Public Service

While Table 4 covers all positions in the federal Public Service, Table 6 focuses on the linguistic status of incumbents in positions where there is a requirement for service to the public in both official languages. The three categories are defined in the notes to Table 4.

Table 7

Service to the public — Public Service

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

Table 8

Internal services — Public Service

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

Table 9

Internal services — Public Service

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

Table 10

Supervision — Public Service

This table shows the linguistic status of the incumbents of bilingual positions with bilingual supervisory responsibilities in those

regions designated as bilingual for the purpose of language of work in the *Official Languages Act.*

Table 11

Supervision — Public Service

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

Tables 12, 13, 14, 15, 16 and 17

Participation of Anglophones and Francophones

The terms "Anglophones" and "Francophones" refer to the first official language of employees. The first official language is that language declared by employees as the one with which they have a primary personal identification — that is, the official language in which they are generally more proficient.

Tables 18 and 19

Participation by region and occupational category of Anglophone and Francophone members of the Royal Canadian Mounted Police

Data on civilian employees of the Royal Canadian Mounted Police are contained in the statistics on the Public Service.

Table 20

Participation by region of Anglophone and Francophone Canadian Forces personnel

Data on civilian Canadian Forces personnel is included in the statistics on the Public Service.

Table 21

Participation of Anglophones and Francophones employed in all federal institutions

While Tables 12, 13, 14, 15, 16 and 17 cover the Public Service and Crown corporations specifically, this table shows the participation of Anglophones and Francophones in all federal institutions.

Table 22

Language training

The data in this table comes from the Language Training Module of the Treasury Board and indicates the number of hours of language training given.

Table 23

Official languages translation

The data in this table comes from the Department of the Secretary of State and indicates the number of words which the departments and agencies have had translated.

Tables 24 and 25

Official Languages Program costs within federal institutions, Overall costs and by subject

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