Guidelines on Second Official Language Training

Guidelines on Second Official Language Training

1. About these guidelines

1.1   These guidelines provide advice and guidance on second official language training (SOLT) within the Government of Canada in the context of relevant policies and legislation.

1.2   These guidelines support the *Official Languages Act* (OLA) and key elements in the Government of Canada's official languages reform document <u>English and French: Towards a substantive equality of official languages in Canada</u>.

1.3   These guidelines are primarily intended for HR professionals as well as managers and supervisors (hereafter referred to simply as managers) in departments that are subject to the <u>*Directive on Official Languages for People Management*</u>.

2. Context

2.1   The OLA defines the role of the President of the Treasury Board and the responsibilities and duties of the Treasury Board of Canada in relation to official languages. Treasury Board's responsibilities include guiding and coordinating policies and programs for the following parts of the OLA:
   - communications with and services to the public
   - language of work in federal institutions
   - the equitable participation of English-speaking and French-speaking Canadians in government institutions
   - the taking of positive measures to implement the Government of Canada's commitments to enhancing the vitality of the English and French linguistic minority communities, fostering the full recognition and use of both official languages in Canadian society, protecting and promoting French, and advancing learning in the minority official language; and
   - the taking of measures to promote, when negotiating agreements with the provincial and territorial governments, including funding agreements, that may contribute to the implementation of the same commitments, the inclusion of linguistic clauses.

2.2   The implementation of the OLA requires institutions to ensure that they have the bilingual capacity to serve and communicate with Canadians and employees in both official languages. Senior management plays a leadership role in maintaining the bilingual capacity within their institutions. As specified in the <u>*Policy on Official Languages*</u>, a key element in achieving this is investing in the language training and development of employees.

2.3   These guidelines support requirements found in the _Policy on People Management_ and in the _Directive on Official Languages for People Management_.

3. Guidelines

The following guidelines are intended to support institutions in providing equitable access to SOLT to employees who seek to develop or maintain their second official language skills.

3.1   **Establishing a culture of bilingualism**

3.1.1   Under the OLA, every federal institution has the duty to ensure that, in bilingual regions, work environments are conducive to the effective use of both official languages. In addition, the _Directive on Official Languages for People Management_ indicates that institutions are responsible for offering language training to employees (in both bilingual and unilingual regions) who want to develop their second-language skills for career development purposes. To achieve this, institutions are strongly encouraged to support their employees in acquiring and maintaining their second official language skills.

3.1.2   Regardless of the linguistic identification of a position, it is recommended that a discussion regarding the acquisition and/or maintenance of second official language skills take place at least once a year as part of an employee's career and talent management discussions. It is strongly encouraged that this discussion starts at the beginning of an employee's career and continues throughout their career.

3.1.3   SOLT is a shared responsibility of both the manager and the employee.

3.1.4   Under the OLA, federal institutions are required to create and maintain a work environment that allows employees to use the official language of their choice in bilingual regions for both oral and written communication purposes.

Managers play a key role in implementing this obligation and can therefore take the following steps to ensure compliance:

- support and promote the use, maintenance and enhancement of an employee's second official language in an environment of linguistic security, which is when a person feels confident and at ease when using a language. Linguistic security can apply to first- and second-language speakers. Here it is used primarily to refer to second official language speakers
- consult with the person responsible for SOLT within their institution to explore available training options
- be broadly familiar with various types of formal and informal language training so that they can advise and direct employees to the appropriate tools and resource persons
- discuss the development of second official language skills or maintenance needs on a regular basis as well as part of performance and talent management discussions

- review an employee's request to pursue informal language training, taking into consideration an employee's learning path, workload and schedule
- review an employee's request for formal SOLT, taking into account considerations listed in section 3.4 when determining an employee's SOLT

3.1.5　With support from management, employees are expected to use and maintain the second official language skills required by the position.

Employees and managers are also encouraged to:

- discuss SOLT needs for career progression
- establish an agreement outlining respective responsibilities
- include the chosen formal or informal training in the learning and development plan

3.2　Selecting the type of SOLT that best meets employee needs

While selecting the type of SOLT that best meets an employee's needs, it is important to consider both formal and informal learning methods. Both provide benefits and are complementary. However, a focus on one method may be better suited for a given employee's learning style or preference, while other employees may use a variety of methods. Institutions are encouraged to offer a variety of second official language training options.

3.2.1　Informal SOLT

3.2.1.1　Informal SOLT typically follows a more flexible approach and usually takes place outside of a conventional learning setting. The learning is less structured, more spontaneous and conveniently integrated into daily or weekly routines. It includes the use of self-directed learning tools which are usually free or available at a minimal cost.

3.2.1.2　This type of training is recommended as a first step in any language learning journey to allow for the acquisition of basic proficiency, while improving the chance for success in subsequent formal training.

3.2.1.3　Informal SOLT may be provided to employees who want to acquire, maintain or improve their second official language skills.

3.2.1.4　Employees are encouraged to choose the SOLT activities that are of interest to them and enter their learning needs in their learning and development plan.

3.2.2　Formal SOLT

3.2.2.1　Formal SOLT follows a more structured approach and often, but not exclusively, takes place in a classroom setting.

Formal SOLT usually takes place during normal working hours and the primary format is group training.

A language training activity, whether virtual, in-person or hybrid, is considered formal when:

- it is provided by an in-house or third-party language training service provider that is included in standing offers by the institution or Public Services and Procurement Canada (PSPC), or by another external service provider
- it includes clear objectives, learning outcomes and course length
- it is established based on the number of hours of training required and financial resources allocated

Examples of types of formal SOLT that may be offered in an institution are:

- annual user subscription through a standing offer for an online self-study platform accompanied by tutoring
- part-time language training
- full-time language training
- group language training
- individual language training

As indication only, a beginner learner will need an average of 72 weeks to reach level C. The following represents an average number of full-time SOLT weeks needed to reach each language proficiency level, based on 35 hours/week (this does not apply to part-time SOLT):

- 48 weeks for level B
- 24 additional weeks for level C

Note that hours may vary depending on the type of training and needs.

3.2.2.2 Before considering formal SOLT, it is recommended that employees have achieved basic proficiency in their second official language.

3.2.2.3 Formal SOLT should be provided to employees primarily to improve their second official language skills.

3.3 **Respecting the duty to accommodate in SOLT**

3.3.1 Under the *Policy on People Management*, deputy heads are responsible for creating and maintaining a respectful, inclusive and fair workplace.

3.3.2 The *Directive on the Duty to Accommodate* outlines the roles of managers and employees in the accommodation process and includes Mandatory Procedures. The Duty to Accommodate: A General Process for Managers outlines a step-by-step process to accommodation and promotes a proactive, collaborative and informal approach. It also includes the Government of Canada Workplace Accessibility Passport Guidance for Managers. The Government of Canada Workplace Accessibility Passport is a tool that can facilitate the conversation between managers and employees about workplace barriers and document agreed-upon solutions to support the employee's success in meeting the SOLT goals.

3.3.3 The duty to accommodate applies wherever the employee is performing work, whether on a temporary or permanent basis, which includes SOLT.

3.3.4 Under the _Directive on the Duty to Accommodate_, managers are responsible for
- proactively discussing potential accommodation needs with their employees
- ensuring that accommodation requests are addressed in a timely manner
- regularly following up with the employee
- modifying the accommodation as needed and when an employee's circumstances change

3.3.5 Managers may seek guidance from their institution's relevant functional specialists on accommodation or exceptional staffing situations when bilingual positions are staffed non-imperatively, according to the _Public Service Official Languages Exclusion Approval Order_ and Public Service Official Languages Appointment Regulations.

3.3.6 In accordance with the _Directive on the Duty to Accommodate_, employees are responsible for informing their manager if they require accommodation measures. Accommodation measures are put in place to support employees' full participation, including when participating in SOLT.

3.4 **Planning access to SOLT**
Institutions are strongly encouraged to:

3.4.1 Integrate SOLT in their organizational human resources plan to maintain and enhance bilingual capacity in the public service.

3.4.2 Consider taking the following into account when determining access to SOLT; the OLA, the _Employment Equity Act_, _Accessible Canada Act_ and the Clerk's Call to Action on Anti-Racism, Equity, and Inclusion in the Federal Public Service, as well as human resources management and stewardship of public funds.

Respecting legislative and policy requirements by ensuring SOLT for:
- employees who have been appointed to a non-imperative bilingual position after having made an agreement to meet the official language proficiency requirements of positions within two years in accordance with the _Public Service Official Languages Exclusion Approval Order_
- employees whose position has become bilingual, or the language profile has been raised as a result of a review and re-identification process in accordance with the _Directive on Official Languages for People Management_ and the _Bilingualism Bonus Directive_.

Respecting the employer's obligations by offering SOLT to:
- eliminate employment barriers for individuals in the designated groups under the _Employment Equity Act_, keeping in mind the government's initial commitments to modernize this Act includes creating two new designated groups: Black people and 2SLGBTQI+ people;

5

- take concrete action to ensure the full representation of members of the designated groups.

3.4.3   Ensuring an equitable and balanced approach when planning and prioritizing language training to maximize access for a wide variety of employees by taking into account the following elements:

- Equity and inclusion – To ensure a fair representation of designated groups enrolled in SOLT. The management of data should be done in accordance with the _Privacy Act_ and related Treasury Board policy suite.
- Career development – To integrate SOLT early in an employee's career
- Talent management and succession planning – To consider the future overall bilingual capacity of the institution and the need to develop the bilingual capacity of feeder groups

Before making a decision to provide training, institutions should consider the following factors:

- Cost – Assess and plan for language training costs, including the cost associated with replacing the employee
- Operational impact – Determine whether there is organizational capacity to absorb the employee's workload while they are on language training
- Learner's efforts – Consider the willingness and initiatives taken by employees to learn a second language
- Types of training – Consider the types of SOLT that would best meet the diverse learning needs of employees and recognize and assess the need for accommodation, if required

3.5   **Collecting and tracking language training data**

3.5.1   Under section 6.5.3 of the _Directive on Official Languages for People Management_, heads of human resources are responsible for keeping files and information systems current to provide reports to Office of the Chief Human Resources Officer upon request, including the OL annual review exercise.

3.5.2   Data contributes to effectively designing and implementing the institution's language training program to better meet the needs of learners.

3.5.3   To obtain meaningful information about the state of language training within institutions, it is encouraged to track language training data. The management of data should be done in accordance with the _Privacy Act_ and related Treasury Board policy suite.
A sample of formal SOLT data is provided here for institutions. It is recommended that this data be readily available for monitoring purposes. Note - This sample only represents current employment equity groups, as per the _Employment Equity Act_. This sample will be updated once the Act and the relevant systems have been revised.

		Reasons for SOLT								
Population code										
Institution title										
Fiscal year										
Sample of formal SOLT data	**Total number**	**Reasons for SOLT**				**% learners from the designated EE groups**	**% of learners identifying as a member of visible minority**	**% of learners identifying as a person with disabilities**	**% of learners identifying as an indigenous person**	**% of learners identifying as a woman**
		mandatory	**career management**	**talent management**	**other**					
Number of persons enrolled in French part-time group SOLT										
Number of persons enrolled in French part-time individual SOLT										
Number of persons enrolled in French full-time group SOLT										
Number of persons enrolled in French full-time individual SOLT										
Number of persons enrolled in English part-time group SOLT										
Number of persons enrolled in English part-time individual SOLT										
Number of persons enrolled in English full-time group SOLT										

Number of persons enrolled in English full-time individual SOLT											
Annual user subscriptions for French online self-study platforms											
Annual user subscriptions for English online self-study platforms											
Total amount spent on formal SOLT											

4. References

Relevant legislation

- *Canadian Charter of Rights and Freedoms*
- *Official Languages Act*
- *Financial Administration Act*
- *Public Service Employment Act*
- *Public Service Official Languages Appointment Regulations*
- *Public Service Official Languages Exclusion Approval Order*
- *Accessible Canada Act*

Treasury Board policy instruments

- *Policy on People Management*
- *Policy on Official Languages*
- *Directive on Official Languages for People Management*
- *Qualification Standards in Relation to Official Languages*
- *Directive on the Duty to Accommodate*

5. Enquiries

5.1   For questions, contact Treasury Board of Canada Secretariat Public Enquiries.