

COMMISSIONER
OF OFFICIAL
LANGUAGES



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THE TEXTURE OF CANADA

A fabric is woven
of many threads.
Those of us who
speak English and those
of us who speak French
– ourselves made up
of many different elements
– have joined together
to weave a social fabric
called Canada.



*Wearers of the emblem of the
Office of the Commissioner of
Official Languages are
signifying their commitment
to fostering the best possible
human relations between the
English-speaking and
French-speaking components
of Canada's social fabric.*

THE SPEAKER,
SENATE, OTTAWA

Mr. Speaker,

Pursuant
to Section 66 of the
Official Languages Act,
I hereby submit to
Parliament, through
your good offices,
the twenty-fifth
Annual Report of
the Commissioner
of Official Languages,
covering the calendar
year 1995.

Yours respectfully,

A handwritten signature in black ink, reading "Victor C. Goldbloom". The signature is stylized with a large, sweeping flourish that extends to the right and then loops back under the name.

Victor C. Goldbloom
Commissioner of
Official Languages

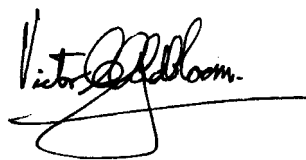
March 1996

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March 1996

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* A full discussion on the language rights situation in Canada in 1995 is available in a separate publication entitled "Language Rights in 1995". You can order your copy, free of charge, from:

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THE ACT AND THE REALITY OF CANADA

When legislation has been in effect for a good many years, its overall objectives and its principal provisions have generally percolated into public awareness. The Official Languages Act, however, appears to be an exception; 27 years after its adoption, and eight years after its renewal, it is still perceived by many Canadians through a mist of myths and misapprehensions.

Is it the ultimate objective of the Act to oblige all Canadians to be bilingual?

No.

Most Canadians have neither the need nor the occasion to use both languages.

Since the Act provides for two-language services by federal offices where numbers warrant, about 30% of federal public servants, some 60,000 people, have to be bilingual; most of them are in the National Capital Region.

Is it the objective of the Act to require both languages to be taught in school?

No.

Education is a responsibility of the provinces and territories — and most of them leave the decision to school boards.

Does the Act require all federal services to be in both languages?

No.

Federal offices offer two-language services only where numbers warrant. This is determined census unit by census unit, the criteria being established by Treasury Board regulations.

Does the Act impose obligations on the provinces and territories?

No.

The Act applies to federal institutions, not to provincial, territorial or municipal ones — and not to the private sector. (There are provisions in other laws regarding two-language packaging and labelling.) Constitutionally, language is an area of shared responsibility, and the provinces and territories have the power to legislate within it.

Does the Act favour one language group over the other?

No.

The merit principle is, as it must be, the only basis for employment and advancement in the federal Public Service.

What, then, DOES the Act do?

It gives English and French official status within Canada.

It says that both languages shall be used in parliamentary proceedings and in legislation.

It says that a person appearing before a federal court, or in a criminal matter, may use either language.

It says that federal institutions must have the institutional capability to serve the public in both languages, in their head offices and in other offices where numbers warrant.

It says that in the National Capital Region and a few other designated areas federal public servants may work in either language.

It says that English-speaking and French-speaking Canadians must have equal opportunities for employment and advancement in the federal Public Service, which should *tend* to reflect the presence within Canada of both language communities.

It says that the Government of Canada is committed to enhancing the vitality of English and French linguistic minority communities in Canada and to supporting and assisting their development.

It establishes the position of Commissioner of Official Languages, an ombudsman to whom any citizen can complain, who will investigate objectively and make recommendations for the improvement of service to the public by federal institutions.

The Act, then, is an expression of Canada's history — and of today's human reality.



Victor C. Goldbloom

Commissioner of Official Languages

THERE HAS BEEN PROGRESS

This year marks a silver anniversary, as this year's Annual Report is the 25th produced by the Office of the Commissioner of Official Languages. All four Commissioners have embodied the chief quality of the Office: the capacity to stimulate, to accelerate and to foster progress while promoting open dialogue, accommodation and mutual respect between our two linguistic communities, whether they live in majority or minority settings. Their reports constitute not only a comprehensive record of the evolution of Canadian attitudes towards our two-language reality, but are a testimony to that progress. When Canadians consider what they have done to bring about a greater measure of linguistic fairness, they should be proud.

We all have a tendency, when looking at the past, to tint things in the rainbow colours of remembrance. The grass was greener, the apple pie tastier, the children wiser and better behaved and the mail was delivered on time. We have forgotten the low wages, the inadequate housing, the lack of educational attainment. The same distorting mirror makes some people see Canada's language policy as a benighted effort by aging flower children to fix something that wasn't broken. A short walk down memory lane may help put things in perspective.

Many Canadians have forgotten that 30 years ago it was not at all certain that a French-speaking Canadian could telephone or write a government office in Ottawa and receive a reply in his or her language. Sometimes, service was not available in French...even in Quebec. French-speaking members of the Public Service, even in Quebec, did not have the possibility, let alone the *right*, of working in their language and French-speaking Canadians did not enjoy their fair share of federal jobs. When they did gain access to such jobs they were disproportionately concentrated in clerical tasks (which is still, to a smaller degree, the case).

The availability of the CBC's French-language network outside Quebec was spotty. French-speaking children outside Quebec often had difficulty receiving an education in their own language. For example, it was only in 1967 that Saskatchewan and Manitoba adopted legislation allowing French to be used as a language of instruction for half of the school day; Alberta passed legislation allowing French as a medium of instruction in 1969, British Columbia in 1979 and Nova Scotia in 1981. One of the results of this situation is a legacy of functional illiteracy; for example, the illiteracy rate among Franco-Ontarians is 31% compared to 16% for English-speakers. French-speaking Canadians in minority situations were rarely able to have a criminal trial conducted in their language until the 1980s.

The past three decades have also brought about a significant transformation of Quebec's once dominant English-speaking community. English-speakers in Quebec remain a dynamic community and continue to have access to a wide range of educational and social services in their language, but their demographic base is shrinking and their institutions have been appreciably weakened. Nevertheless, federal institutions in Quebec continue to show a high capability — the highest in Canada — to serve the public in English as well as in French.

A LAW ABOUT SERVICE AND RESPECT

The Official Languages Act gives effect to the equality of status, rights and privileges of the English and French languages proclaimed in the Canadian Charter of Rights and Freedoms. It calls on federal institutions to provide service in English or French wherever there is significant demand. This recognizes and respects the presence of English-speaking and French-speaking people in all the provinces and territories.

The key function of the Commissioner is to investigate complaints and to recommend improvements in service delivery (more than 90% of such recommendations are implemented). These complaints (we have investigated over 37,000) have been principal instruments in bringing about progress.

Federal institutions, in resolving complaints, have been made aware that the Official Languages Act is not a bureaucratic requirement but a service issue. The premise of the law is that Canadians, whether they speak English or French, deserve respect. It is a law for real people with real needs.

At the beginning of the 1970s there were some 15,500 positions in the federal Public Service requiring a knowledge of English and French and fewer than 11,000 incumbents were considered bilingual. Today there are some 60,000 bilingual positions in the federal Public Service (30.3%) and 86% of the occupants are qualified linguistically.

Reasonable measures now allow for the delivery of services in English and French to official language minority communities across Canada where numbers warrant. Moreover, these services do not cost an arm and a leg. Overall, the cost of providing two-language service is about \$2.50 per \$1,000 of service or 0.2% of the federal budget.

Numerous investigations or audits of federal institutions, as well as thematic studies conducted by our Office (some 900 since 1970), have led to significant improvements in the delivery of two-language service, not only in federal offices in the traditional sense of the word but to the travelling public (Air Canada, Via Rail, airports, federal ferries, embassies, etc.). In 1992 the present Commissioner instituted an annual Merit Award List to recognize and encourage good service to the public.

Essentially, federal government services are now available in both official languages in the National Capital Region, elsewhere where numbers warrant and when the nature of the office requires it. Of the 14,000 federal service points, 4,500 (32%) have been designated as bilingual. This means that 96% of English-speakers in Quebec and 92% of French-speakers elsewhere now should have access to service in their language of choice. An audit conducted by our Office in 1994 revealed that services were available in English and French in 79% of cases at two-language service points (98.8% in Quebec and 72% in the rest of Canada), although these services were offered actively in both languages in only 40% of these cases. The challenge that remains is to improve on their quality and real availability, and especially on their active offer. All these figures should be 100%. The Treasury Board is committed to closing the gaps.

ENGLISH AND FRENCH ON THE JOB

Thanks to the concerted efforts of the Treasury Board and federal institutions there has been slow but significant progress in establishing the conditions for the equitable use of English and French on the job in designated regions. Although there is still room for improvement, both English and French are now used as languages of work in the National Capital Region, in New Brunswick and in parts of Ontario and Quebec. Early in 1995 the Commissioner revealed the results of an inquiry by this Office into the linguistic working conditions of federal public servants in the National Capital Region and made a series of recommendations to correct inadequacies and unfairness.

Over the years a basic framework of two-language supervision has been established and the two-language skills of supervisors overall have improved significantly. Nearly nine public servants out of ten meet the language requirements of their positions. Most jobs in the Public Service are open to unilingual individuals; unilingual English-speakers have access to 76.5% of jobs and unilingual French-speakers to 30% of jobs. Many bilingual jobs are available to unilinguals who indicate a willingness and an aptitude to learn the other official language. During the last decade the need to provide language training to federal employees has declined significantly and much of the remaining training is now being contracted out.

EQUITABLE PARTICIPATION

When the first Official Languages Act was proclaimed in 1969 English-speaking Canadians made up 79% of the federal Public Service and French-speaking Canadians 21%. Today the respective rates are 72% and 28% (74% and 26% for all federal institutions). Despite this generally fair balance there is still room for improvement. English-speaking participation needs to be increased in Quebec, for example (although it is above average in Crown corporations), and French-speaking participation is disproportionately low in the more senior ranks and in the scientific and technical fields.

PARLIAMENTARY REVIEW

Parliament has played an important role in the progress achieved. The creation of a Joint Committee on Official Languages to review implementation of the Official Languages Act on an ongoing basis gives Parliament the potential means of fostering among Canadians greater understanding of our human realities and of the historical and contemporary legitimacy of the constitutional recognition of English and French as the official languages of Canada. For example, it is before this Committee that broad proposals leading to the adoption of the second Official Languages Act (in 1988) were first examined. One of the key issues the Committee is currently examining, with the help of the Commissioner, is the implementation of Part VII of the Official Languages Act, which, among other things, deals with enhancing the vitality of the English and French minority language communities. Successive Commissioners have also appeared before other parliamentary committees, such as those dealing with the Constitution, broadcasting, the environment, defence and foreign policy and the privatization of Crown corporations, to defend realistic and fair language provisions.

INFORMATION

The Office of the Commissioner has consistently emphasised that good research and strong information efforts are essential features of an effective language policy, since the Canadian public and public servants tend to be relatively uninformed about the objectives of the Act. Over the years it has sponsored several colloquia on language issues and has conducted research on a wide variety of topics, including minority community development, demolingistics, exogamy, private sector contributions to two-language service and international language research and development. Over and above the Commissioner's Annual Report it has developed numerous communication tools aimed at a wide range of people. The Commissioner also participates in radio open-lines, makes television appearances and speaks to audiences all across Canada. For example, in an average year the Commissioner visits federal and provincial officials and minority communities in most provinces, delivers some 30 speeches to service clubs and associations and appears on a dozen or more open-line radio shows. An ongoing communications program is essential in ensuring clear, accurate understanding of Canada's linguistic duality in all its human reality.

OTHER MEASURES

Over the years the federal government has taken numerous measures to respond to the concerns of French-speaking Canadians, in Quebec and all across the country, about the vitality and use of their language. For example, it is a world leader in the development of French terminology by means of Termium, a computerized word bank. It has developed a high degree of expertise in teaching English and French as second languages. It is an active, supportive participant in la Francophonie. The CBC, the National Film Board, the Canada Council, the National Archives and the National Library, the National Arts Centre, the various federal museums and numerous other federal institutions in the areas of culture, science and technology have contributed to the growth and development of a strong French-speaking community within Canada and to the maintenance of valuable international linkages.

MINORITY COMMUNITY DEVELOPMENT

A key instrument in enhancing the vitality of the English and French minority language communities and supporting and assisting their development has been the signature by the Department of Canadian Heritage of framework and specific agreements with provinces or territories and in particular with the minority communities themselves.

Another significant area of federal-provincial co-operation is the administration of justice in two languages. In November 1995 the Commissioner made public a report on the equitable use of English and French before the courts in Canada, with particular regard to the availability of court procedures in the official language of choice of those involved.

The services of the CBC/Radio Canada, once quite limited in French outside Quebec, are now available to most official language minority communities of 500 inhabitants or more, and cable access to programming in French across Canada, notably RDI, TVA and TV5, continues to expand. Ontario's TFO (the new designation for la Chaîne française of TVOntario), for its part, has provided Franco-Ontarians with a valuable mirror of their community. Since 1985 Canadian Heritage has encouraged the creation of minority official language community radio stations; 26 have been set up across Canada, including eight in Ontario, seven in New Brunswick and three in Quebec. It has also provided technical and financial assistance to minority official language community newspapers.

MINORITY LANGUAGE EDUCATIONAL RIGHTS

Since 1982 Section 23 of the Canadian Charter of Rights and Freedoms has given minority official language citizens,¹ where numbers warrant, the right to have their children instructed in their own language in facilities provided out of public funds. Where numbers warrant, these parents also have a right to school governance. The Commissioner has frequently met with provincial premiers and ministers of education to encourage the full implementation of Section 23.

When necessary and appropriate, the Commissioner has also obtained intervenor status in court cases. For example, the Office of the Commissioner presented arguments on minority language instruction issues in the Ontario Court of Appeal in 1984, in the Alberta Court of Appeal in 1986, in the Prince Edward Island Supreme Court in 1986, in the Manitoba Court of Appeal in 1988 and in the Supreme Court of Canada in 1989 and 1992. Other cases are currently being followed. Dr. Goldbloom and previous Commissioners have also been active defenders of the federal Court Challenges Program which, among other things, provides minority parents with invaluable support in seeking redress.

While more remains to be done, it is fair to say that minority language instruction is now more available in all provinces and territories and that more than half have adopted Education Acts that fully meet the requirements of the Charter.²

Canadian Heritage has assisted the provinces not only in meeting their obligations under the Charter but in developing a range of post-secondary opportunities for minority official language communities. For example, in recent years it has provided help for the completion of three French-language community colleges in Ontario, for the establishment of the Collège de l'Acadie in Nova Scotia, for a new law school at the University of Moncton and for improvements at Bishop's University in Lennoxville, Quebec, and Heritage College in Hull, Quebec.

SECOND-LANGUAGE LEARNING

Over the last two decades there has been what can only be called a revolution in the teaching of French as a second language. From the outset this Office has underscored the importance of providing accurate and persuasive information, based on effective research, on all aspects of education, language duality and minority community development. In this context it was also important to inform Canadians on the advantages of good second-language learning opportunities and of a wide variety of linguistic exchanges.

1 In Quebec this right applies to Canadian citizens who have received their primary instruction in English in Canada.

2 When the present Commissioner took office in 1991 only New Brunswick and Prince Edward Island were in conformity with the school governance provisions of Section 23. Today, Alberta, Saskatchewan, Manitoba, Yukon and potentially Quebec and Nova Scotia have joined the group and the Commissioner is actively following developments in British Columbia, Ontario, Newfoundland and the Northwest Territories.

Provinces and school districts have responded to the challenge of providing adequate teaching of the second official language in a variety of ways, from core programs to enriched or intensive programs to full-blown immersion programs. In Canadian schools today some 2,135,000 children are studying French as a second language and some 644,000 are studying English as a second language (required by provincial law in Quebec schools). The current generation of young Canadians is the most bilingual in our nation's history, with nearly 23% of Canadian teenagers (15-19) being bilingual. The numbers of elementary or secondary students registered in French immersion programs have risen from 65,000 in 1981 to over 300,000 in 1995. One of the key objectives of the Youth Communications Program of the Commissioner's Office has been to promote harmony, understanding and mutual appreciation between young English- and French-speaking Canadians.

CONCLUSION

hen we started out, no one thought it would be simple. The Constitution, laws, attitudes and habits had to be changed. It was, we knew, a long-term undertaking...and it is not over. We should, however, look at the balance sheet with some pride, as an inventory of our strengths. Other states, beset with intractable societal conflicts, look to Canada as a country with solutions. Our solution has been one of decency and fairness. We must continue to practise linguistic justice and to be true to the history and the human reality of our country, a country built on accommodation, caring and fairness.

While the Office of the Commissioner of Official Languages cannot be everything to everyone, this brief review suggests that successive Commissioners of Official Languages, each in his own fashion, have not only fulfilled their role as catalysts for change, but have lived up to the ideal defined by the Royal Commission on Bilingualism and Biculturalism of being the "active conscience" of Canadians in language matters. In doing so, they have contributed to better understanding. As Dr. Goldbloom said in a speech to the Gaspé Chamber of Commerce, we have two official languages in Canada so that we can live together in the mutual respect we owe one another.

THE COMMISSIONER'S ACTIVITIES

CONSULTING WITH CANADIANS

Talking directly with people is one of the Commissioner's constant preoccupations. It is his belief, bolstered by experience, that when Canadians are given straightforward, factual answers to their questions and concerns their natural sense of fair play and consideration for others asserts itself strongly.

To this end, in 1995 the Commissioner, in some two dozen trips, delivered a number of linguistic "State of the Nation" addresses across Canada. He took part in over a hundred meetings with groups and individuals concerned about Canada's languages policies and gave some 125 media interviews.

The Commissioner is a close observer of the complex issue of school governance in each province and territory. The 1995 situation and the Commissioner's actions are described fully in Part IV.

The previous year the Commissioner had made 100 recommendations as a result of 158 enhanced investigations and two special studies. Reactions to and results of the concerns Dr. Goldbloom has raised will be found throughout this Report.



SPECIAL REPORTS RELEASED IN 1995

In 1995 three special, systemic reports were issued by the Commissioner.

The first, a wide-ranging study on service to the public was published in February. Dr. Goldbloom was given a specific and positive response to his recommendations by Art Eggleton, then President of the Treasury Board.

The second, the Commissioner's essay of the linguistic working conditions of federal public servants in the National Capital Region, was released in May. Its findings are discussed on page 29.

The third, "The Equitable Use of English and French before the Courts in Canada", was released in November. A summary of the report will be found on page 14.

CONTINUING CONCERNS

Another report, to be released early in 1996, concerns Part VII ("Advancement of English and French") of the Official Languages Act. This part of the Act states that "The Government of Canada is committed to (a) enhancing the vitality of the English and French minority communities in Canada and supporting and assisting their development; and (b) fostering the full recognition and use of both English and French in Canadian society." These areas are ones in which progress has been hampered by a lack of clear lines of responsibility.

A study on packaging and labelling in both languages continues. The Commissioner is seeking to determine if purchasers are adequately informed in their own official language about assembly, operation, possible hazards, ingredients, etc., when they buy a product. Second, is the cost of two-language labelling a burden, particularly to small- and medium-sized businesses?

The Commissioner is conducting a study on the impact of new technologies on the use of English and French in Canada. He wants to give federal institutions a portrait of what is being done, what is not being done and what should be done to ensure that each of our two languages is appropriately used on the Internet and in other technologies.

PANORAMA 1995

1. CONFIDENCE IN THE FUTURE

Quebecers were asked this year to reflect on their place in Canada. The results of the referendum did not resolve the issue. We now must all learn the lessons of this narrow decision and invest our confidence in the future, in a future built on mutual respect. It is time to put aside recriminations, to remember what we have accomplished together and to focus on what we can together do in a spirit of dialogue and goodwill. Most Canadians want Canada to continue to be a two-language country, committed to the protection and development of both linguistic communities. We should face this challenge with a strong resolve to come to a common understanding. To paraphrase the words of Georges Bernanos, "The future is not for us to endure, but to build."

In terms of the economy 1995 was a difficult year for many Canadians. From a language perspective it was marked by fears that budgetary restraint by governments would affect service delivery in the minority official language in various parts of the country. These fears have not been entirely allayed and governments at all levels will have to demonstrate that stressful changes to our social and economic environment have not diminished a fundamental commitment to the vitality of both our official language communities.

FEDERAL PERFORMANCE

On the basis of our Office's 1994 survey of federal offices across the country designated to serve the public in both official languages, and of its own regional consultations, Treasury Board Secretariat asked federal institutions to develop action plans to improve two-language service at these offices. Since the active offer of service in English and French is a key element of satisfactory performance, the Secretariat conducted workshops to assist employees in these offices to acquire or perfect their active offer skills. Federal institutions were to submit their action plans by September 30, 1995. Spot checks will then be made to ensure that proposed improvements have been effective. The Secretariat has also developed a questionnaire on client satisfaction to enable federal institutions to determine if they are providing client-focused service of good quality. In the coming year our Office will evaluate how this new order is working.

In June the Commissioner of Official Languages and the Treasury Board Secretariat jointly published a brochure on the use of English and French as languages of work in the designated regions. The brochure has been distributed widely to public servants in these regions to encourage the equitable use of English and French on the job. The Secretariat is also conducting a number of workshops in federal institutions on this issue.

Service delivery models

To cope with budget and staff cuts many federal institutions are taking a closer look at new structures and service delivery models. Structural changes include the creation of special operating agencies, partnerships and strategic alliances with the voluntary or private sectors and privatization.

Some federal offices are being closed and a number of services are being reorganized or relocated. How these changes will affect the delivery of services to official language minority communities is not yet clear. The federal government deserves praise, however, for the careful manner in which it ensured that language rights were protected in the process of privatizing CN and air traffic control.

Greater emphasis is being placed on one-stop or single-window delivery of services normally provided separately by federal, provincial and, in some instances, local administrations. For example, Revenue Canada has co-operated with some provinces in this regard and Canadian Business Services Centres already deliver services from all three levels of public administration. Technology is also being used to enhance service. The progressive use of automated information kiosks by Human Resources Development Canada is just one of many innovations in this area.

The linguistic aspects of such changes in service delivery must, of course, be planned as carefully as the other elements of client satisfaction. Unfortunately, this is not always the case. For example, federal government departments and agencies were quick to seize on the importance of the Internet as an innovative and economical way of delivering information to the Canadian public and to federal employees. In their enthusiasm for developing Internet sites, however, several institutions failed to consider the requirement to provide information in both official languages, a matter which was quickly brought to the attention of the Commissioner, who promptly brought it to theirs. There were also, at least initially, some problems with the display of French accents on screen. Most of these difficulties are now



being addressed. Our Office has launched a systemic study on the use of our two official languages on the Internet. (See pp. 51-52.)

In July the Treasury Board Secretariat issued electronically *A Guide to Internet Use in the Federal Government* which provides information on a variety of issues, including official languages requirements. The federal government is also establishing a primary Government of Canada Internet site, which will operate under the aegis of the Telecommunications and Informatics Sources Branch (GTIS) of Public Works and Government Services. The site will provide a focal point for single-window public access to services and information in English and French. GTIS will in fact act as a registrar and ensure consistency and standardization. We expect that GTIS will be carefully monitoring the linguistic aspects of federal Internet usage.

Information Highway Advisory Council

Our Office has also followed with considerable interest the work of the Information Highway Advisory Council, since the information highway will increasingly become a key element in the growth and development of the Canadian economy and Canadian culture. English being already well established as the lingua franca of informatics, it is important to reinforce the status and use of French on the Canadian highway. The ever-increasing computerization of Canadian society should not serve to weaken Canada's linguistic duality.

We have three major concerns in this regard, which we have communicated to the Chair of the Advisory Council, David Johnston:

- Methods of informing Canadians will be transformed by the information highway. The points of service of the government of Canada will probably be infinitely multiplied because in time every home will become a potential point of service. This revolution has already begun in the form, for example, of the "Open Government" pilot program on Internet. The virtual-service counters will make government information more accessible and available at the time when it is desired by the client. It is important that these services be equally accessible in both official languages.
- With respect to language of work, it is clear that federal employees will increasingly have to use the information highway. Electronic mail, telework, teams linked by computer and pan-Canadian and international government information networks will be put in place at an ever-faster pace. Will federal employees who wish to work in French on the information highway be able to do so? Even the simple internal electronic mail systems of several departments do not presently permit the use

of French accents. In addition, software and keyboards are sometimes provided to federal employees in English only, without regard to the official language preferred as their language of work.

- Finally, Section 41 of the Official Languages Act commits the federal government to fostering the development of official language minority communities and ensuring the full recognition and use of English and French in Canadian society. How can this role be fully performed today without taking the information highway into account? Used properly, the information highway could unify and serve small and often isolated French-speaking communities. This, however, requires content in French and access to the technology at an affordable cost.

On June 14, 1995, the Official Languages Support Programs Branch of the Department of Canadian Heritage held an exploratory session on the information highway. Governments (federal, Ontario, New Brunswick), education institutions and a cross-section of minority official language community groups were represented. There was a large consensus on the need to gain better access to new technologies. Participants suggested that what is required is a strategy that fosters the development of alliances between all players interested in the presence of French on the Internet. After all, ensuring linguistic and cultural diversity on the Internet is another way of protecting Canadian identity, values and economic interests in the global village.

The Advisory Council's Report entitled *Connection, Community, Content: The Challenge of the Information Highway* was released in September. It made the following recommendations about French content:

To reflect the linguistic duality of Canada, the French language must have a prominent place on the Information Highway. Thus, French-language products and services must continue to develop as an essential expression of Canadian content. Government policies should stimulate, through incentives, the creation and production of new content adapted to information technology, with special consideration for the needs of the French-language market. In addition, the creation, production and implementation of navigational and menu systems in both official languages should incorporate the principle of universal access by all Canadians to all forms of content.... (p. 29)

The report does not, however, provide much detail about exactly how these goals can be achieved or how generally the Canadian information highway can be used to advance the equality of status and the use of English and French in Canadian society. An unequivocal commitment by the government of Canada to the promotion of both official languages should be a key feature of its strategy for the development of the Canadian information highway.

COMMUNITY DEVELOPMENT

The Official Languages Support Branch of the Department of Canadian Heritage devoted much of its energy to forging a new partnership with official language minority communities. In a period of severe budgetary restraint it was important to have communities set their own development priorities and decide how best to use the resources allocated to them. This empowerment has taken the form of agreements signed directly between the government of Canada and the communities concerned. Agreements have been signed with official language minority communities in the Northwest Territories, Alberta, Manitoba, Quebec,¹ Nova Scotia and Newfoundland and agreements with communities in the other provinces and Yukon are under active consideration.

In August 1994 the federal Cabinet approved a ministerial accountability framework for implementation of Part VII of the Official Languages Act. These provisions commit the government to fostering the growth and development of official language minority communities and promoting English and French in Canadian society. Twenty-seven key federal institutions concerned with culture, human resources and the economy were to develop action plans by June 1995 and submit them to the Minister of Canadian Heritage.

Our broad review of these plans suggests that there is less in most of them than meets the eye. Instead of providing a strategy with objectives and goals several institutions do not go much beyond describing current projects and explaining how their offices provide service in English and French as required. This is surely not enough. An appropriate implementation scheme should have something to say about leadership and policy direction, it should measure costs and benefits of programs in terms of minority development, and it should have clearly defined evaluation criteria and a comprehensive consultation process with the communities concerned and other players. (See pp. 52-53.)

Minority education rights

Access to and control of their own schools are key elements in the growth and development of official language minority communities. The future of many minority communities hangs in the balance. There has been significant progress: in five provinces and Yukon governments have set up or are actively at work establishing school boards for French-speaking minority communities. However, in several jurisdictions there is still important work to be done:

- French-speaking parents in British Columbia had challenged the province's lack of compliance with Section 23 of the Charter and the Commissioner had obtained intervenor status before the provincial Supreme Court with respect to the case. The government later created a Francophone Education Authority, but this provided only limited Francophone participation in school governance. The parents have suspended the hearing of their application, but are prepared to reactivate it.
- In the Northwest Territories French-speaking parents have expressed concerns about the conformity with Section 23 of the Charter of the implementation of a general right to manage their schools by means of regulations under a newly adopted School Act. Parents are nevertheless participating in the process of drafting the new regulations while studying the possibility of a court challenge.
- Ontario does not meet the requirements of Section 23 of the Charter relating to governance, having established only four French-language school boards. The Sweeney Report prepared following the Royal Commission on Education recommended the creation of 15 Francophone school boards in the context of a major restructuring of the province's educational system, as well as equitable distribution of school tax monies.
- In Quebec implementation of Bill 107 creating school boards along linguistic lines is still in abeyance.
- In Nova Scotia, following the tabling of a White Paper, the Minister of Education created a school governance implementation committee. Draft legislation to revise the Education Act, including the establishment of a province-wide Acadian French-language school board, was tabled before the legislature in the fall and was well received by the French-speaking community.
- In Prince Edward Island French-speaking parents in Summerside are examining whether they should take the provincial government to court to obtain the establishment of a French school. Parents are disputing a decision to bus their children to a school in another town.
- In Newfoundland the government may consider the possibility of including Francophone school governance as part of an overall structural reform of the education system. Court action is being envisaged by the parents.

Each of these situations is being followed by the Commissioner with active and constructive attention. Both central and regional offices maintain contact with each community concerned.

¹ The agreement did not include the Townshippers' Association and the Châteauguay Valley English-Speaking Peoples' Association, which chose to opt out but will nevertheless receive funding.

In jurisdictions where a satisfactory minority school governance framework is in place, a number of issues having to do with the sharing of facilities, adequate funding, curriculum development, refrancization, literacy and mechanisms for conflict resolution are not yet fully resolved. Progress is essential to provide official language minority communities with the educational tools that will enable them to participate equitably in Canadian society.

The CBC

For a number of years the CBC has experienced budgetary cuts. Additional reductions of \$227 million will be implemented before April 1997. CBC president Perrin Beatty indicated that despite the obligation to eliminate this amount, it was his objective to protect programming as much as possible.

We deeply hope he succeeds. Cuts in programming are often bad news for official language minority communities. In an era in which communications are absolutely vital, the CBC plays a unique role in promoting the cultural and social vitality of smaller communities of both official languages, whether they form part of a minority or a majority. It is also one of the chief tools in preserving and strengthening Canada's linguistic duality.

The Fédération des communautés francophones et acadienne du Canada has long argued that it is essential that the French network of the CBC maintain a high-quality service that reflects their experience and their reality in their own province or territory, which may be significantly different from life in Quebec — and less well known. This is why, for example, the availability of the Réseau de l'information (RDI), which has a significant amount of local programming, is so important to these communities.

In July the Commissioner asked the Chairman of the CBC Mandate Review Committee,² Pierre Juneau, to consider the following four points in arriving at conclusions and recommendations:

- 1) RDI must be made available everywhere in Canada as soon as possible.
- 2) The programming of the French network of the CBC must take into account the interests, past history and present-day reality of the French-speaking minority communities.

- 3) The growing tendency to subordinate the mandate and activities of the CBC to the imperative of cost effectiveness must not adversely affect the promotion of Canada's linguistic duality or the production of quality regional programming.
- 4) Programming in English and in French must continue to be of comparable quality.

The CBC is a mirror of Canadian culture and Canadian identity. If we cannot see ourselves clearly in it, we may no longer understand each other or what, collectively, we cherish.

Official languages and the Courts

This year our Office published a study concerning the equitable use of English and French before the courts in Canada.

The general right of accused persons to a criminal trial in their official language as set out in the Criminal Code of Canada was proclaimed in force in all provinces and territories on January 1, 1990, following several years of gradual implementation in a limited number of jurisdictions. Although an important step, the statutory recognition that accused persons should have access to the criminal process in their own official language is incomplete without the ability of judges, lawyers, courthouse staff, police forces and government departments charged with the administration of criminal justice to implement it.

Our study found that the manner in which the Criminal Code provisions relating to the language of trial have been implemented since 1990 is uneven from one province or territory to another. While the reasons for this are varied and complex, there is a need to replace relatively passive recognition of the Criminal Code provisions with a more active approach which fosters and facilitates the exercise of existing rights. One must not underestimate the importance of an active offer of service in the minority official language being made by public authorities. It is in this spirit that the Commissioner made a number of recommendations, some of which involve legislative amendment while others bear on institutional policies relevant to language of trial issues. A fuller account of the study can be found in the review of court decisions and legal proceedings which we are publishing separately this year.³

² The Report of the Mandate Review Committee on the CBC, National Film Board and Telefilm Canada was made public on January 31, 1996.

³ This document can be obtained from the Communications Branch, Office of the Commissioner of Official Languages, 110 O'Connor Street, Ottawa, Ontario K1A 0T8 (613) 995-0826.

STANDING JOINT COMMITTEE ON OFFICIAL LANGUAGES

The Committee covered a wide variety of topics, focusing mainly on the following issues:

- the effective delivery of two-language services at designated federal offices;
- the availability of the CBC's French-language all-news channel, Réseau de l'information (RDI) to minority communities throughout Canada;
- the lack of conformity of Canada Post addressing standards to official languages requirements;
- the use of English and French as languages of work by federal employees in the National Capital Region;
- the translation of proceedings of Parliamentary committees;
- the use of French on federal Internet sites;
- the implementation plan for Part VII of the Official Languages Act.

The then President of the Treasury Board, Art Eggleton, was asked to react to the Commissioner's survey of the availability and quality of service in the minority official language of each province and territory. He informed Committee members that he had called on heads of federal institutions to develop action plans on the results of the study.

On examining the Commissioner's 1994 Annual Report the Committee expressed considerable interest in plans federal institutions are developing to ensure effective implementation of Part VII of the Official Languages Act, which commits the federal government to promoting English and French in Canadian society and to fostering the development and vitality of minority communities.

The Committee convened officials from Canadian Heritage to outline the main features of these plans and questioned them closely on accountability mechanisms. The Fédération des communautés francophones et acadienne du Canada also appeared before the Committee to explain why it was dissatisfied with progress in implementation of Part VII. The Commissioner, for his part, gave the Committee information on the nature of the evaluation of departmental plans his Office was conducting.

GLOBALIZATION AND LANGUAGE

Canada, like other major industrialized countries, is involved in the building of a new global economic order, characterized by an unprecedented explosion of communication technologies and expanding free-trade arrangements. More and more our competitive advantage will depend on the quality of our human resources. In tomorrow's "knowledge-intensive" society investments in education and especially in strong language skills will be an important factor in achieving growth.

A 1993 Unesco report entitled *Language Policies for the World of the Twenty-first Century* observes, "Without knowing foreign languages it is, of course, possible to buy but not possible to sell." (p.23) This point was made by several participants at a Colloquium on Official Languages and the Economy, sponsored by Canadian Heritage in Ottawa on May 5. Multinational firms are showing increased interest in language training as part of their investment in human capital. More and more the prosperity of companies depends significantly on the skills and knowledge of employees and on their ability to become part of "learning" organizations able to operate throughout the world. As Michael J. Marquardt, author of *The Global Learning Organization*, explains: "Language refers to the verbal and nonverbal communications of people. It is both the carrier and condition of culture. Not being able to speak the language of the customer, employee, or vendor limits the ability of the organization to understand, motivate, and be effective with those individuals. Staff with multilingual skills are essential for global learning organizations." (pp. 33-34)

The development of Canada's linguistic infrastructure has not only led to a significant increase of individual bilingualism among the young — 23% of teenagers between 15 and 19 are bilingual — but has become a selling point for Canada abroad. In the eyes of the world our linguistic diversity, founded on the presence of many languages and the official status of two of the world's most recognized languages, is a sign of openness and of progress. We tell the world in English and in French that we speak the language of respect.

2. LANGUAGE RIGHTS

Under the Official Languages Act anyone who has made a complaint to the Commissioner in respect of a right or a duty set out in the Act may, under certain conditions, apply to the Trial Division of the Federal Court of Canada for a remedy under Subsection 77(1). Such an application is heard and determined in a summary manner. Evidence is introduced in the form of sworn statements or affidavits and witnesses do not have to testify. If the Federal Court concludes that a federal institution has not complied with the Act it can grant such remedy as it considers appropriate and just in the circumstances. It should be noted that the remedy provided for in Part x of the Act does not abrogate or derogate from any other right of action a person might have.

Since the legislative provisions concerning court remedy came into force on September 15, 1988, the Commissioner has made three applications to the Court at the request of complainants.¹ While the Commissioner may not apply for such remedy on his own authority, he can do so on behalf of a complainant. The Commissioner can also seek leave to appear as a party to an existing proceeding.

In addition to the two court remedy applications still pending that were taken by the Commissioner on behalf of complainants,² there are eight applications initiated by complainants. In each, the Commissioner was either named as a third party or obtained leave to intervene.³

The following is a brief summary of the status of new application for court remedies taken under Part x of the Act.

-
- 1 *Commissioner of Official Languages v. Air Canada* (Court File No. T-2443-90). This application, which is concerned with the broad principles governing a federal institution's communications with the public through the media (minority press), was resolved out of court. The case of *Commissioner of Official Languages v. Via Rail Canada Inc.* (Court File No. T-1389-91), which deals with passenger service in the Montreal-Ottawa-Toronto triangle and concerns the primacy of the Act over the provisions of collective agreements, is to be heard by the Court next fall. Finally, *Commissioner of Official Languages v. The Queen (Human Resources Development)* (Court File No. T-1601-94) mainly concerns the justification for language requirements and opportunities for equal employment in federal institutions.
 - 2 *Commissioner of Official Languages v. Via Rail Canada Inc.* (Court File No. T-1389-91); *Commissioner of Official Languages v. The Queen (Human Resources Development)* (Court File No. T-1601-94).
 - 3 The cases, as of December 31, 1995, are the following: *Rogers v. The Queen (National Defence)* (Court File No. T-2712-95); *Dupuis v. The Queen (Human Resources Development)* (Court File No. T-2153-95); *Côté v. The Queen (Revenue Canada – Customs and Excise)* (Court File No. T-1051-92); *Tessier v. The Queen (National Defence)* (Court File No. T-2855-94); *Stokus v. CBC et al.* (Court File No. T-1677-94); *Lavigne v. The Queen (Human Resources Development)* (Court File No. T-1977-94); *Leduc v. The Queen (Foreign Affairs and International Trade Canada)* (Court File No. T-1953-94); *Chevalier v. Via Rail Canada Inc.* (Court File No. T-1692-93).

APPLICATIONS INITIATED BY THE COMMISSIONER

The Commissioner did not initiate any new applications at the request of complainants in 1995.

In our 1994 Annual Report⁴ we reported that a new application had been made to the Trial Division of the Federal Court in the case of *Étienne v. The Queen*. This application was denied.⁵ It followed two decisions by the Federal Court of Appeal rejecting appeals by the applicant on the issue of the time limits to initiate a court proceeding under the Act. The latest decision thus exhausts the applicant's legal remedies under Part x of the Act.

APPLICATIONS INITIATED BY COMPLAINANTS

Two court applications for remedy have been filed since the last Annual Report.

On October 11, 1995, a complainant filed an application at the Federal Court for damages resulting from the denial of her language rights⁶ pursuant to Section 77 of the Act, while she was employed by Human Resources Development Canada in Verdun, Quebec. More specifically, the applicant, whose preferred official language is English, argues in her notice of motion that internal communications, evaluation reports and meetings were in French only. The application for a legal remedy followed the Commissioner's investigations which concluded that, in many instances, the applicant's rights under the Act were not respected. The Commissioner was named as a third party to the proceedings.

In the second application, on December 21, 1995, the Court was asked by a complainant to set aside a decision of the Department of National Defence retaining the designation of "bilingual imperative" for an Administration Officer position at the Land Forces Technical Staff Course in Kingston, Ontario, and to allow the priority appointment of the applicant to the said position.⁷ The applicant is also seeking \$220,000 in damages. The Commissioner has been named as a third party to the proceedings.

4 p. 12.

5 *Commissioner of Official Languages v. The Queen (National Defence)*, unreported decision of Madam Justice McGillis, Federal Court of Canada, Trial Division, January 26, 1995 (Court File No. T-1622-91).

6 *Dupuis v. The Queen* (Court File No. T-2153-95).

7 *Rogers v. The Queen* (Court File No. T-2712-95).

APPLICATION FOR JUDICIAL REVIEW

In our 1994 Annual Report⁸ we noted that in the matter of *St-Onge v. Canada (Commissioner of Official Languages)*⁹ Mr. Justice Noël had dismissed an application for judicial review, brought forward under the Federal Court Act, of an investigation report by the Commissioner.¹⁰ The Commissioner rejected the arguments of the complainant to the effect that the investigation report contradicted a previous majority decision of the Federal Court of Appeal that his submission as complainant should have formed part of the report instead of being attached to it and that he was entitled to damages

The Federal Court of Appeal has since dismissed an appeal from the decision of Mr. Justice Noël.¹¹

INTERVENTIONS OF THE COMMISSIONER IN LEGAL PROCEEDINGS CONCERNING THE STATUS OF ENGLISH OR FRENCH

Subsection 78(3) of the Act gives the Commissioner the authority to seek leave to intervene in any proceedings relating to the status or use of English or French.

Over the years the Commissioner has been granted leave to intervene in important cases concerning the right to instruction in the minority language guaranteed in Section 23 of the Canadian Charter of Rights and Freedoms.¹² The Commissioner has also intervened in an arbitration hearing.

INTERVENTIONS BY THE COMMISSIONER IN LEGAL PROCEEDINGS UNDER SECTION 23 OF THE CANADIAN CHARTER OF RIGHTS AND FREEDOMS

The Commissioner has intervened in the following two cases.

1. *L'Association des parents du programme-cadre de français et al. v. The Queen (British Columbia)*

On September 12, 1994, the Commissioner was granted leave to intervene in the resumption of legal proceedings initiated originally in 1989 by the Association des parents francophones de la Colombie-Britannique et al.¹³ In their amended statement of claim the plaintiffs ask the Court to recognize their right to control and administer French schools and programs in Vancouver and the Lower Fraser Valley, as well as in Victoria. They also claim, as a remedy under Section 24 of the Canadian Charter of Rights and Freedoms,

the setting up of a trust fund dedicated to the design and implementation of programs to remedy the cultural and linguistic erosion suffered by the Francophone minority as a result of the refusal by the provincial government to grant its members sufficient means to support the exercise of their rights to the instruction of their children.¹⁴ (*Our translation*)

An application for a hearing in this case in a summary manner, scheduled for the week of December 4, 1995, was adjourned following the enactment, on November 2, 1995, of the regulation creating the Francophone School Authority.

2. *Séguin et al. v. Her Majesty the Queen in right of Ontario*

The Commissioner obtained leave to intervene in the case brought in 1992 by Francophone parents in the counties of Stormont, Dundas and Glengarry in Ontario.¹⁵ The parents, whose children are enrolled in the French program administered by the French section of the Catholic School Board of Stormont, Dundas and Glengarry counties, are asking the Court to recognize their right to educational facilities controlled by the linguistic minority under Subsection 23(3) of the Canadian Charter of Rights and Freedoms. In addition, they are asking that the funds provided for instruction in

⁸ p. 13

⁹ *St-Onge v. Canada (Commissioner of Official Languages)*, decision of Mr. Justice Noël, Federal Court of Canada, Trial Division, May 13, 1994 (Court File No. T-1556-93).

¹⁰ *St-Onge v. Canada (Commissioner of Official Languages)*, [1992] 3 F.C. 287.

¹¹ *St-Onge v. Canada (Commissioner of Official Languages)*, Federal Court of Appeal, November 14, 1995 (Court File No. A-266-94).

¹² *Reference re Public Schools Act (Manitoba)* [1993] 1 S.C.R. 839 (Supreme Court of Canada), (1990) 67 D.L.R. (4th) 488 (Manitoba Court of Appeal); *Mahé v. Alberta* [1990] 1 S.C.R. 342 (Supreme Court of Canada), 42 D.L.R. (4th) 514 (Alberta Court of Appeal, 1987); *Reference re Minority Language Educational Rights* (P.E.I.), (1988) 69 Nfld. & P.E.I.R. 236, 49 D.L.R. (4th) 499 (Supreme Court of Prince Edward Island – Appeal Section); *Reference re Education Act of Ontario and Minority Language Education Rights*, (1984) 10 D.L.R. (4th) 491 (Ontario Court of Appeal).

¹³ Supreme Court of British Columbia (Court File No. A890762).

¹⁴ Press release of September 12, 1994, from the Association des parents francophones de la Colombie-Britannique.

¹⁵ *Séguin et al. v. The Queen in right of Ontario*, Ontario Court (General Division) (Court File No. 3831/92).

French in minority schools be equivalent, in proportion to the number of pupils, to the funds provided for instruction in English in the majority schools. The case is to be heard in 1996.

INTERVENTION OF THE COMMISSIONER IN AN ARBITRATION HEARING

We reported in our 1993 Annual Report that the Commissioner was authorized to intervene in a grievance between the Canadian Union of Postal Workers and Canada Post Corporation.¹⁶ The interim decision of the arbitrator raises a number of issues concerning the implementation of two-language requirements in federal institutions and the power of recommendation of the Commissioner of Official Languages.¹⁷ Over a period of several years the Commissioner had issued recommendations that key bilingual positions within Canada Post be staffed on an imperative basis. When management at Canada Post decided to give effect to these recommendations the union objected to what it considered to be breaches of provisions in its collective agreement. The resulting dispute raised two broad issues. First, was management correct in maintaining that any conflict between provisions in the collective agreement and recommendations of the Commissioner must be resolved, as a matter of law, in favour of the recommendations? Second, could provisions in the collective agreement take precedence over obligations created by the Act?

The arbitrator ruled that recommendations of the Commissioner of Official Languages do not have force of law, do not affect rights and are not normative in character. This being the case, such recommendations could not be relied on by management to refuse to respect otherwise valid provisions in a collective agreement.

The compatibility of clauses in a collective agreement with provisions in the Act raises, however, different considerations. On the basis of the evidence before him the arbitrator reached the conclusion that no necessary incompatibility existed between the provisions of the collective agreement and the Act. More specifically, imperative staffing of vacant bilingual positions at Canada Post was not strictly required by the terms of the Act and regulations. The only factor which could intervene to change this opinion would be a court order under Section 77 of the Act,

which empowers the Federal Court, on the application of a person who has made a complaint to the Commissioner of Official Languages, to grant such remedy as it considers appropriate and just in the circumstances.

A full discussion on the language rights situation in Canada in 1995 is available in a separate publication entitled "Language Rights in 1995". You can order your copy, free of charge, from:

**The Office of the Commissioner
of Official Languages
Communications Branch
14th floor, 110 O'Connor Street
Ottawa, Ontario K1A 0T8
Tel.: (613) 995-0730
Fax: (613) 995-0729
Internet: mdemers@synapse.net**

¹⁶ 1993 Annual Report, p. 35. The Commissioner intervened at the request of Canada Post.

¹⁷ *Canada Union of Postal Workers v. Canada Post Corporation*, arbitration decision of Mr. Innis Christie, November 22, 1994.

THE COMMISSIONER, THE PUBLIC, FEDERAL INSTITUTIONS

1. THE OMBUDSMAN

The federal administration is currently undergoing significant changes. The major staff reductions and numerous reorganizations taking place inevitably have an impact on the provision of services and on internal communications, including their linguistic aspect. The role of the Commissioner — already so important in normal times — becomes crucial when what is at stake is the protection of the language rights of citizens in spite of these upheavals.

In the following pages we present the results of the Commissioner's work as ombudsman and protector of language rights, a role that he performs by carrying out investigations and special studies, as well as the trends that emerge from this work. We also report on an analysis we have begun of the plans submitted by federal institutions to the Department of Canadian Heritage for the implementation of Part VII of the Official Languages Act, by which the Government of Canada has committed itself to enhance the vitality of the English-speaking and French-speaking minorities and to foster the full recognition of English and French in Canadian society.

In the present context of budget cuts the resources of the Office of the Commissioner of Official Languages were reduced. The Commissioner has therefore discontinued his regular audits of federal institutions. He has concentrated his resources on investigations undertaken as a result of complaints and on the search for solutions to systemic problems. To reflect these changes we have modified the structure and name of the Complaints and Audits Branch; it now bears the name **Investigations Branch**.

In all, the Commissioner made 228 recommendations in 1995: 152 following investigations of complaints, 40 in connection with audits previously initiated and 36 arising from four studies (federal offices designated to provide the public with service in English and in French, the administration of justice, language of work in the National Capital Region, services provided in embassies).

The quality of service that we offer our clients is a constant concern of the Commissioner. A survey to measure client satisfaction, begun in 1994 and completed in the spring of 1995, showed that a significant proportion (more than 80%) of clients are satisfied with the quality of our

services in terms of the results obtained. The degree of satisfaction with the way we provide these services is still higher. The survey gave us a better understanding of the needs and expectations of our clients and allowed us to improve the way we operate.

a) COMPLAINTS: AN OVERVIEW

The term ombudsman is defined in the Gage Dictionary of Canadian English as "a government official appointed to receive and investigate citizens' grievances against the government." The Official Languages Act defines the Commissioner's role as essentially that of a linguistic ombudsman, protecting the individual language rights of Canadians while ensuring that federal institutions fully respect their obligations under the Act. The Commissioner can conduct investigations on his own initiative in addition to those undertaken pursuant to complaints. He does so in individual cases, but also in situations involving systemic problems.

In recent years the number of complaints requiring in-depth investigations and interviews on-site has been rising. As a result, there has been a significant increase this year in the number of recommendations for corrective action made by the Commissioner: 188 compared to 100 in 1994. There is also a need to follow up on recommendations made in previous years. In 1995 follow-ups revealed that 92% of the Commissioner's recommendations had been fully or partially implemented by federal institutions.

Overall, the number of complaints received is about the same this year as last year. There was, however, a significant increase (12%) in the number that were admissible and were therefore investigated. This increase was most evident in the areas of language of work and of telephone communications in the National Capital Region, as well as of services provided to the travelling public in Ontario and the Maritimes.

COMPLAINTS: THEN...

In the 25 years that have elapsed since the Office of the Commissioner opened we have investigated over 37,000 complaints, the vast majority of which have been founded. The numbers appear to have stabilized at about 1,600 per year in the 1990s. Those dealing with language of work issues have consistently accounted for 10-15% of all complaints lodged. The proportion of complaints concerning

PART III

PART III

services to the public has decreased from 88% in the 1970s and 1980s to 77% in recent years.

...AND NOW

In 1995 the Commissioner received 1,554 complaints from members of the public and from federal public servants. Table III.1 provides a breakdown by province and category; graphical representation can be found in Figures III.2 and

III.3. This year, as in 1994, about 60% of the complaints were lodged by residents of Quebec and Ontario, including the National Capital Region. The Atlantic provinces and the West/North accounted for 20% and 18% respectively.

Each year the Commissioner must decline to investigate complaints that do not fall within his jurisdiction or do not constitute infractions of the Act. The proportion of refused complaints decreased this year by 30% to 283. Since the remaining regulations on services to the travelling public

Table III.1

Number of complaints lodged, disposition, nature of admissible complaints, information requests by province/territory, 1995

	Complaints lodged in 1994	Complaints lodged in 1995	Disposition		Service to the public	Nature of admissible complaints				Information requests
			Refused	Admissible		Language of work	Part VII ¹	Section 91 ²	Other ³	
Newfoundland	19	24	19	5	4	0	1	0	0	19
Prince Edward Island	52	72	7	65	65	0	0	0	0	16
Nova Scotia	166	116	37	79	71	5	1	1	1	49
New Brunswick	97	91	11	80	64	12	2	2	0	140
Quebec*	219	171	26	145	112	25	0	2	6	415
NCR (Quebec)	53	47	6	41	20	21	0	0	0	40
NCR (Ontario)	441	427	66	361	182	127	33	12	7	230
Ontario*	245	306	58	248	210	21	8	6	3	157
Manitoba	48	48	9	39	37	1	0	1	0	153
Saskatchewan	27	20	4	16	14	2	0	0	0	44
Alberta	72	49	3	46	45	1	0	0	0	221
British Columbia	61	143	32	111	109	0	1	1	0	159
Yukon	22	18	2	16	15	0	1	0	0	13
Northwest Territories	0	1	0	1	1	0	0	0	0	1
Abroad	20	21	3	18	15	1	0	1	1	4
TOTAL	1,542	1,554	283	1,271	964	216	47	26	18	1,661

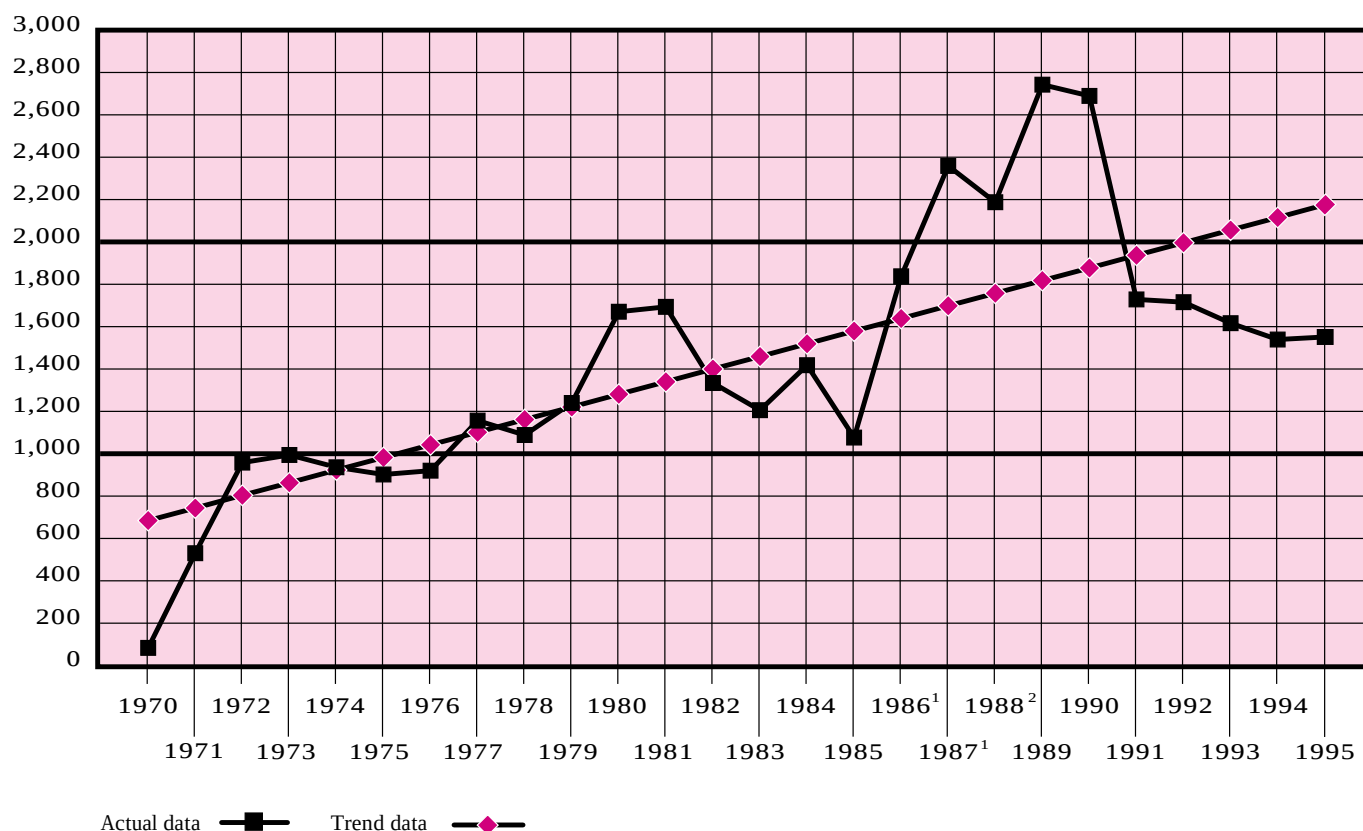
* Excluding the National Capital Region (NCR).

¹ These complaints concern the advancement of the official minority language communities.

² These complaints relate to language requirements of positions.

³ These complaints relate to equal opportunities for employment and advancement, equitable participation and the administration of justice.

Figure III.1
Complaints lodged over the years, 1970-1995



¹ For the purposes of this table, language of work complaints regarding CSIS (1,784 in 1986 and 456 in 1987) have been regrouped and are counted as one complaint.

² The new Official Languages Act was adopted and public awareness resulted in a significant increase in complaints.

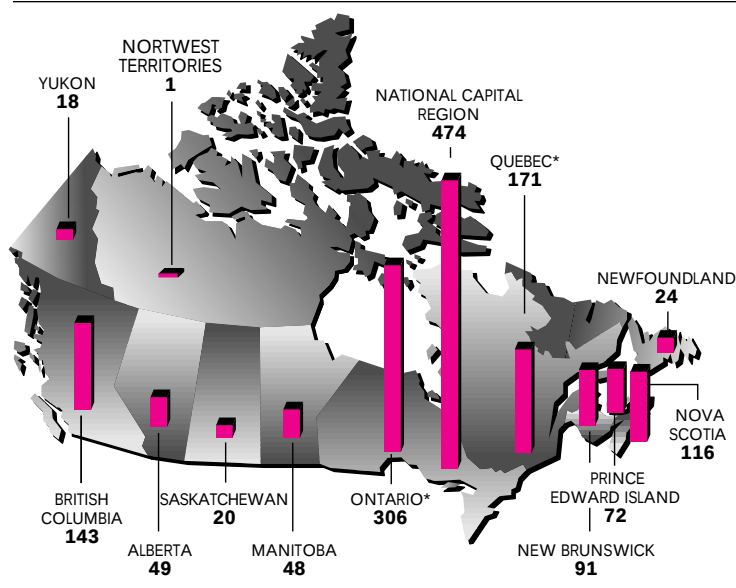
took effect in December 1994 we have been able to investigate complaints in this area. Moreover, the federal government has taken steps to publicize its offices that are required to provide two-language services to the public.

Over 53% of the complaints we received in 1995 were lodged with the staffs of our five regional offices, who maintain a high degree of visibility among both their minority and majority communities. This year about 44% of complaints involved regional or local decision-makers and consequently were handled by the Commissioner's regional personnel. This proportion was 34% last year.

ADMISSIBLE COMPLAINTS

We investigated 1,271 complaints involving possible violations of the Official Languages Act, a 12% increase over last year's figure. The 22 federal institutions that were the subject of more than 10 admissible complaints are listed in Table III.2. Again this year, Canada Post, Air Canada and Human Resources Development accounted for about 30% of these complaints. It should be noted, however, that these institutions have thousands of contacts with Canadians every day. The results of our investigations involving federal institutions are discussed in more detail in Section 1(e) below.

Figure III.2
Complaints lodged by province/territory, 1995



* Excluding the National Capital Region; 21 complaints came from outside Canada.

Sixty-five percent of the complaints we investigated concerned the failure of federal institutions to provide services in French at offices designated to serve the public in both official languages. This proportion was 63% in 1994. A further 15% of investigations, compared to 13% last year, dealt with difficulties encountered by French-speaking employees in using their language on the job, mainly in the National Capital Region. We also investigated 185 complaints, down from 201 last year, from English-speaking Canadians, half of which concerned services to the public or language of work at offices in Quebec.

PART VII

There was a dramatic rise this year (from 16 to 47) in the numbers of complaint investigations dealing with support to official language minority communities. These are generally complex issues. It should be noted that this Part of the Act does not provide for recourse to the courts.

INFORMATION REQUESTS

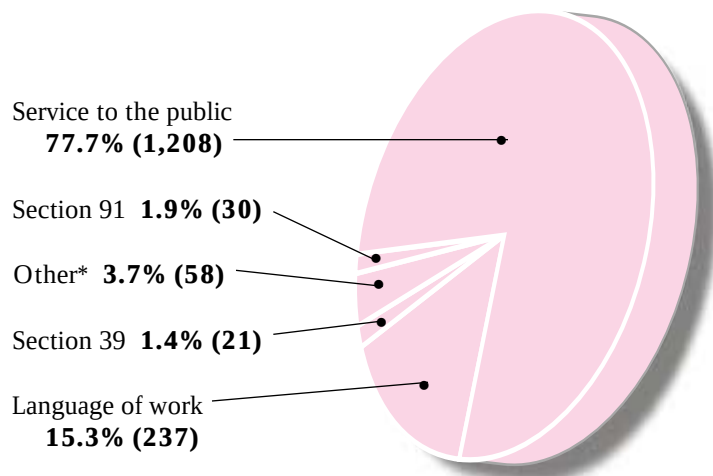
Over the years the Office of the Commissioner has endeavoured, through various communications initiatives and publications, to keep the public informed. In 1995 we followed up on over 1,400 general requests

for information, most of which were handled by our regional offices. We also received 211 requests concerning the official languages policy or practices of specific federal institutions; many of these requests required extensive research and consultations with departmental officials.

SECTION 91

One of the least understood provisions of the Official Languages Act is Section 91, which was designed to ensure that managers objectively determine the language requirements of the positions they staff. In other words, does the position need to be bilingual and, if so, at what level of linguistic competence? A third consideration which often escapes managers is whether or not the position should be filled by someone who already possesses the required language profile. The number of complaints we investigated concerning Section 91 has decreased this year (from 76 to 26), mainly due to reduced staffing in the Public Service. Our investigations nevertheless continue to reveal that managers need to be mindful of their obligations under Section 91 and better informed of central agency guidelines in this regard. However, as the following case study illustrates, situations can arise which are not necessarily covered by the guidelines.

Figure III.3
Distribution of complaints lodged (1,554), 1995



* These complaints concern advancement of the minority language communities and the administration of justice.

ENVIRONMENTAL INTERCHANGE**Allegations:**

A unilingual English-speaking person was assigned, through an Interchange Canada Agreement, to perform the duties of a bilingual position located in a Canadian Wildlife Service office in the National Capital Region.

Conclusions:

The complaint was founded: the incumbent of the position should have been bilingual because he was required to deal with English-speaking and French-speaking clients and to supervise employees in French.

Outcome:

The Commissioner made recommendations to the Department regarding the appointment of individuals to positions requiring the use of both official languages. He also recommended that the Treasury Board and the Public Service Commission modify the Interchange Canada guidelines to take into account the language rights and responsibilities of host departments. The PSC subsequently modified these guidelines.

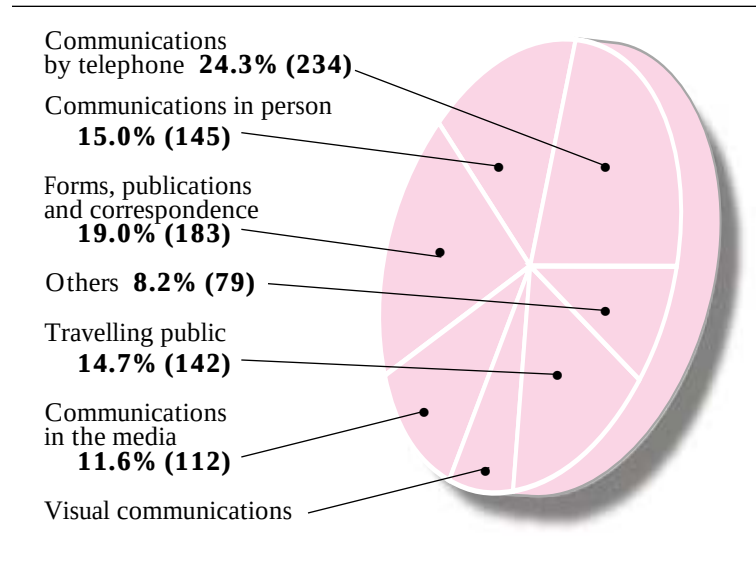
b) SERVICE TO THE PUBLIC

In 1995 the number of complaints investigated concerning problems experienced by members of the public in communicating with or receiving services from federal institutions in the official language of their choice rose to 964, an increase of 16.8% over the 825 in 1994. In general, the percentage of complaints about service to the public has changed very little in the 25 years since adoption of the Official Languages Act in 1969. From 1970 to 1974 they accounted, on average, for 84% of the complaints received. In the next four years the figure fell to 77% as complaints about language of work increased following adoption in June 1973 of the Parliamentary Resolution recognizing the right of federal employees to work in the official language of their choice in certain regions. From 1979 to 1992 the average percentage of complaints about service to the public was 87.5%. Since 1993,

Table III.2
Institutions with more than 10 admissible complaints, 1995

DEPARTMENTS/ INSTITUTIONS	C O M P L A I N T S			TOTAL
	Founded	Un- founded	Under investi- gation	
Agriculture and Agri-Food Canada	8	0	5	13
Air Canada	62	2	50	114
Canada Post Corporation	94	13	45	152
Canadian Broadcasting Corporation	9	3	5	17
Canadian Heritage	38	3	9	50
Canadian Radio-Television and Telecommunications Commission	1	2	23	26
Citizenship and Immigration	13	12	1	26
Correctional Service Canada	17	4	42	63
Environment Canada	14	1	5	20
Fisheries and Oceans Canada	5	2	8	15
Foreign Affairs and International Trade	8	4	16	28
Health Canada	57	5	9	71
Human Resources Development Canada	65	3	42	110
Industry Canada	18	1	8	27
National Defence	16	5	40	61
Public Service Commission	22	0	0	22
Public Works and Government Services	28	4	28	60
Revenue Canada	36	6	32	74
Royal Canadian Mounted Police	13	2	9	24
Statistics Canada	5	1	6	12
Transport Canada	41	2	23	66
Via Rail	10	1	13	24

Figure III.4
Service to the public: Admissible complaints (964)



however, the reasons for complaints have become more varied as Canadians become more familiar with the different aspects of the 1988 Act. The percentage of complaints about service to the public has therefore decreased and now stands at around 76%.

As in the past, Canadians experienced the greatest difficulty in obtaining service in the official language of their choice on the telephone and in person from designated offices of federal institutions. The number of admissible complaints concerning telephone communications rose from 148 in 1994 to 234 this year. There were 105 complaints about communications in person in 1994 compared with 145 this year. The special study we conducted in 1994 of service to the public had an impact on these increases of 58% and 38% respectively. In over 50% of these cases the complaints concerned the absence of active offer. This is a systemic problem about which the Commissioner has spoken out for a number of years. The use of a two-language telephone greeting formula is essential because it is the only way to let members of the public know that service is provided in both official languages.

The number of complaints about messages in the media fell from 139 in 1994 to 112 this year, a decrease of 19.4%. We can assume that federal institutions are better acquainted with their obligations in this regard and are making more of an effort to meet them. The number of complaints from the travelling public remained relatively stable (142 compared with 146 in 1994).

FOLLOW-UP ON POINTS OF SERVICE STUDY

In February 1995 the Commissioner released the results of his study of federal offices designated to provide services in both official languages. The report contained 10 recommendations to federal institutions subject to the Act. To follow up on this study the Treasury Board — which is responsible for the general direction and co-ordination of the policies and programs of the government of Canada relating to the implementation of the Act in all federal institutions — asked the managements of departments and agencies to evaluate the performance of each designated office, to prepare an action plan for offices whose performance was judged inadequate and to report back by March 1996. The President of the Treasury Board at the time, Art Eggleton, made a commitment to inform the Standing Joint Committee on Official Languages accordingly. The Treasury Board initiated a tour of the regions to make managers and employees more aware of their responsibilities regarding services and active offer. The Commissioner, satisfied with the action taken to date on his study, will conduct a follow-up on it in 1996.

PRE-BOARDING SCREENING SERVICES AT AIRPORTS

Following a recommendation made by the Commissioner in 1993 the Department of Transport amended its Air Carrier Security Regulations. Since December 1994 these regulations have required that security procedures at airports which serve a million or more travellers a year be conducted in the official language of the traveller's choice. This year we began to check on the progress Transport Canada has made in implementing the other recommendations made by the Commissioner in March 1993 at the conclusion of our special study on security services provided to the travelling public. We will report on the results of this follow-up in 1996.

REGIONAL SURVEY

Data on the linguistic situation of the incumbents of bilingual positions (service to the public) provided to us by Treasury Board tend to confirm the results of our study of federal offices designated to provide service in both languages. The regions where the percentage of incumbents who meet the language requirements of their position is highest are those where, according to our study, service in the minority official language tended to be most often available. That percentage stands at 92% in New Brunswick, 89% in Quebec, 84% in Manitoba and 82% in Prince Edward Island; availability of service during our study, however, was found to be 98.8% in Quebec, 84% in New Brunswick, 76% in Manitoba and 80% in Prince Edward Island.

In Ontario, however, where 75.5% of the incumbents of bilingual positions meet the language requirements of their position, members of the public experienced problems, proportionately more frequent, in contacts with the Department of Human Resources Development, at border posts, at airports and aboard aircraft and at the counters of Air Canada and its regional carrier, Air Ontario.

In 1995 we received some 100 complaints from the Fédération des francophones de la Colombie-Britannique (FFCB) concerning unilingual English reception and telephone service at various federal offices in British Columbia that are designated under the Official Languages Act and regulations to provide two-language services. These complaints arose from an audit conducted by the FFCB of offices which appear on a list produced by the Treasury Board. It was noted that the percentage of incumbents of bilingual positions who meet the language requirements of their position (76%) is below the national average (87%).

This year 90 out of 104 complaints from English-speaking Quebecers concerned service to the public; 49 of these were from inmates of federal penitentiaries. They complained mainly about communications in French only by employees of the Correctional Service and about social rehabilitation courses and programs offered in French only.

The number of complaints about communications in the media was highest in the Atlantic region in 1995. Nearly half the complaints received from across Canada concerning the publication of advertisements in the majority official language only originated in Nova Scotia.

CASE STUDIES

Canada Day: Many were not invited

The advertising campaign for the July 1 celebrations organized by the National Capital Commission to highlight the significance of Canada's capital unfortunately left out nearly all of Canada's official language minority communities.

An advertising insert entitled "Celebrate Canada Day", with design co-ordinated by the NCC in co-operation with the Department of Canadian Heritage, invited all Canadians to go to one of 450 Canadian Tire stores to participate in a competition for 12 families, one in each province and territory, to win a holiday in Canada's capital. The first page of the insert said: "...with an invitation list of more than 29,000,000 persons."

The NCC had this insert distributed by 26 dailies, but left aside the list of minority official language publications that had been given to it by the Department of Canadian Heritage, thereby depriving a large number of minority

communities of the opportunity to participate in this competition in their own language. Recognizing this error, in the last week of June Canadian Heritage published an advertisement summarizing its part of the insert in eight French-language publications outside Quebec.

The two institutions learned a great deal from this incident. The Department of Canadian Heritage has agreed not to delegate its official languages responsibilities to a third party again, even if it is a federal institution, without exercising strict control. For its part, the NCC intends to plan this type of project better in the future, beginning with the next major event on its calendar, the Winterlude festival in February 1996.

An important symbol nearly disappears

On March 22, 1995, the Board of Internal Economy of the House of Commons announced changes to the "minutes of committees" component of the parliamentary publications program. As an economy measure the minutes of parliamentary committees would no longer be translated and published officially. Only a transcript, slightly edited, of the original debates and of their simultaneous interpretation into the other language was to be available, in English and in French, in separate versions.

These changes, which were to be in effect on an experimental basis for a year, gave rise to strong reactions from Members of Parliament, Senators, interpreters and translators. They feared, among other things, not being able to rely on the interpretation because of the often too rapid pace of debate.

The Commissioner undertook an investigation and in May wrote to the Deputy Clerk of the House of Commons with his comments. A careful examination of a transcript from the new system showed that the quality of the French text, which was mainly the result of simultaneous interpretation (since the proceedings take place most often in English), was far inferior to that of the original English version. He pointed out that the House itself seemed to acknowledge this inequality by including a notice to this effect at the end of the transcript. Since these transcripts are made available to the members of the Press Gallery and through them to the general public, the Commissioner concluded that the practices adopted by the House of Commons could contravene the provisions of Section 22 of the Official Languages Act concerning communications with and services to the public.

After reading the Commissioner's letter the members of the Board of Internal Economy reversed their decision and reinstated the use of translation and publication services for the minutes of committees.

The Prince Edward Island bridge: Missing the boat

We conducted an investigation of 13 complaints about the absence of service in French at the construction site of the Northumberland Strait bridge at Borden, Prince Edward Island.

The Minister of Public Works and Government Services had signed an agreement on behalf of Canada with a private contractor, Strait Crossing Development Inc., for the construction and operation for 35 years of a fixed link between Prince Edward Island and New Brunswick. The contractor had engaged another private firm, Strait Crossing Tours, to offer guided tours and other related services to the public. The complainants noted that the guided tours, the advertising folder and the video shown were not available in French, that there was no active offer of service in both official languages and that the receptionist at the Strait Crossing Tours counter was not able to provide service in French.

With regard to the first two grounds of complaint, the Department claimed that the private contractor was not subject to the Official Languages Act and that it did not believe it had any obligations under the Act with respect to its contract with the contractor. The Department subsequently acknowledged, however, that the situation described by the complainants was unacceptable and reached an agreement with the contractor to have all the printed and audio-visual materials translated. It also asked him to install two-language signs at the site clearly indicating the availability of guided tours in French in time for the next tourist season.

The Commissioner determined that Section 25 of the Act, whereby third parties acting on behalf of a federal institution are required to respect the provisions of Part IV of the Act (service to the public), applies during both the construction and the operation of such a project, where there is significant demand. The Commissioner therefore asked the Department to confirm to him that the deficiencies noted by the complainants would be rectified by the spring of 1996.

Social rehabilitation of English-speaking inmates in Quebec

In 1995 we received five complaints from English-speaking inmates at the Donnacona Institution in the Quebec region. They complained that alcohol and drug detoxification programs were offered in French only. In their view their chances of obtaining parole were reduced since participation in this program is an important criterion used by the National Parole Board.

In its initial response the Correctional Service of Canada informed us that there was an English-language detoxification program at Donnacona but that a minimum

of eight inmates had to be enrolled for it to be given. The participants must first have been identified by the case management team as needing this program and being interested in taking it.

Our investigation showed that this program had been offered in English for the last time in August 1994. Our investigators also learned that most of the complainants were isolated from the other inmates for security reasons, which made matters more complicated. At the time of writing our investigation was still in progress.

Nine one one, bonjour!

A French-speaking citizen telephoned the 911 emergency service in Whitehorse, Yukon, and was greeted in English only. After he had addressed the operator in French he was asked to speak English in order to get help more quickly. The complainant, who felt he nevertheless could afford to wait a few minutes, insisted on being served in French. His call was transferred to a bilingual police officer in approximately one minute. The complainant said he was satisfied with the service obtained in French from the second speaker but complained about being greeted in English only.

The Royal Canadian Mounted Police, which provides telephone reception for this service, is required by the Act and regulations to offer its services actively in both official languages. The officer in charge of the RCMP in Yukon, who claimed to know his linguistic obligations, told us that he could provide service in French at all times within an average of 90 seconds. He refused, however, to change the greeting formula used by his staff: "Nine one one, Police, Ambulance or Fire." We explained to him that adding the single word "bonjour" would constitute satisfactory active offer. He implied that the addition of another word to the existing formula would lengthen intervention time and could jeopardize public safety. We then suggested using the shortened formula "nine one one, bonjour".

At year's end, seven months after the incident reported by the complainant, the RCMP finally agreed to make the greeting formula bilingual. We will monitor this situation closely in 1996.

c) LANGUAGE OF WORK

In 1995 we investigated 216 complaints involving situations that deprived federal employees of their right to work in the official language of their choice in regions designated as bilingual under the Official Languages Act. This figure represents an increase of 19% from last year.

OVERVIEW

While there has been an overall increase in numbers of complaints dealing with language of work, there has been a drop in those dealing with the non-availability of work instruments such as policy manuals, memoranda, work-related documents and training manuals in the preferred language of the employee (from 96 in 1994 to 77 in 1995, as shown in Figure III.5). However, language of work still presents a problem for several federal institutions. For example, we received 24 complaints dealing with the distribution of work instruments in one official language, mostly in English, at Health Canada. These involved the distribution of unilingual electronic documents, an issue we will discuss later in this chapter. Other institutions where the availability of work instruments in one language only is an ongoing problem are the Public Service Commission (12 complaints) and Transport Canada (10 complaints).

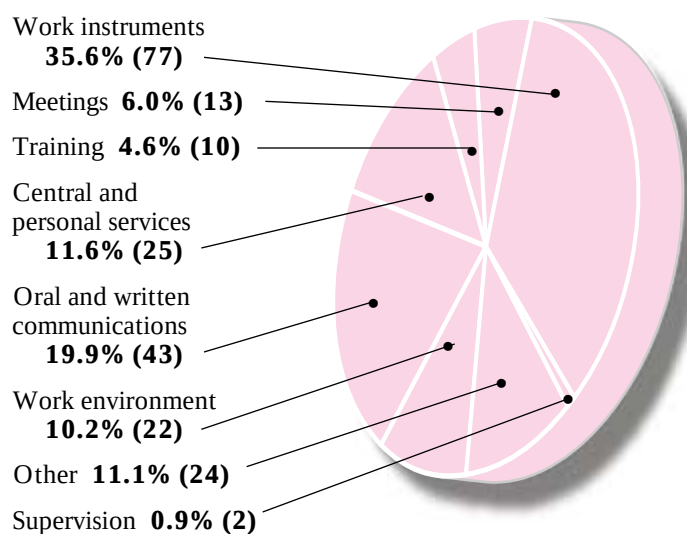
A large number of complaints involved oral and written communications. Forty-three complaints (19.9%) were made by employees who had received unilingual communications either in writing (apart from electronic messages), by telephone or in person.

A new category of complaints came to our attention this year. These 22 complaints (10.2% of the total) dealt with the work environment in general. Most involved a poor quality of French in written communications, the distribution of unilingual English invitations to personnel to attend various functions and the presence of English-only envelopes and billboards. They show that a number of federal institutions have not yet fully implemented the recommendations made last year in the Commissioner's special report dealing with language of work in the National Capital Region (NCR).

Nevertheless, we are pleased to report that complaints about training courses, meetings and supervision decreased, going from 51 (28.3%) in 1994 to 25 (11.6%) in 1995.

The NCR, with its large number of federal employees, still accounts for the majority of the language of work complaints: 148 (68.5%) came from this area. This percentage represents, however, a decrease of 6% compared to last year.

Figure III.5
Language of work: Admissible complaints (216)



We investigated 25 complaints from Quebec (we received 26 in 1994), of which 15 came from English-speaking and 10 from French-speaking public servants. Most of the complaints from English-speaking employees dealt with work instruments unavailable in their first official language and with unilingual French communications from central and personal services, while those from French-speaking employees involved mainly communications and the receipt of documents in English only from the NCR. There were 12 complaints from New Brunswick (19 in 1994).

INFORMATICS AND LANGUAGE OF WORK

The widespread use of computers in the work environment often leads to the infringement of the official language rights of employees. Federal institutions, like the private sector, must adapt to the inexorable currents carrying them onward to the 21st century. They are making increasing use of automated systems, but it is often forgotten that these are among the work instruments that must be available in both official languages in regions designated as bilingual. This year we received 65 complaints about informatics systems used by employees; they concerned written communications, software, keyboards and the employee assistance service.

Federal institutions are making increasing use of automated systems; it is often forgotten that these are among the work instruments that must be available in both official languages in regions designated as bilingual.

In 1995 we received 40 complaints about unilingual electronic messages sent to employees working in designated bilingual regions. In most cases (27) the messages were in English only and came from the NCR. Nearly all these complaints (26) involved two institutions: Health Canada and the Public Service Commission. According to the Official Languages Act **written communications** intended for employees of both language groups who work in a region designated as bilingual must be sent simultaneously in both official languages. This includes electronic communications.

We investigated 12 complaints from employees who complained that their software was available only in English. Five of these involved the financial system of the public sector of Statistics Canada. In the course of our investigations we reminded the institutions in question that **regularly and widely used automated systems** must be available in both official languages in regions designated as bilingual.

In 1993 the government of Canada adopted a **standardized keyboard** capable of meeting the needs of users of either of our two official languages. Nevertheless, we received three complaints about keyboards without accents or which did not permit the production of accented characters with a single keystroke.

Federal institutions usually have an **employee assistance service**. In 1995 we received three complaints from persons who were unable to obtain in French the assistance they needed.

It is clear from these complaints that in their haste to adapt to new technologies federal institutions do not always give French its rightful place. **Federal institutions must redouble their vigilance to ensure that French enjoys its equitable status in the electronic world.**

TYPICAL EXAMPLES

Language rights at diplomatic missions

A French-speaking Canadian assigned to the diplomatic mission in Rabat, Morocco, contacted us to say that he found it deplorable that he could not communicate with the embassy physician in his official language.

In keeping with the spirit of Part v of the Official Languages Act and Treasury Board policies, federal institutions offices abroad where both our official languages are used at work, as is the case in Morocco, must take into account the linguistic composition of their staff and create a work environment conducive to the use of either language.

Our investigation showed that the physician in question — who made two visits a year to this location and who did not speak French — reported to Citizenship and Immigration Canada, not to Foreign Affairs and International Trade.

Following our interventions, the Department agreed that corrective measures, such as the use of a bilingual nurse as an interpreter, would not provide French-speaking employees with adequate service in their language and decided to obtain the services of a bilingual physician.

English documents left in the car

In July 1995 we investigated a complaint from an English-speaking Canada Post employee involving a training course for parcel delivery drivers which was offered in French only at the main depot in Montreal.

Our investigation revealed that the two-hour session on courier service, motorized letter carriers and effective communication with customers was conducted entirely in French. Even the documents handed out were in French only.

When we brought this situation to the attention of Canada Post we were told that the facilitator of the training session had offered to answer questions in English if anyone so desired. He had also told the participants that documents were available in English but that he had left them in his car.

We pointed out to Canada Post that their response was not satisfactory because the complainant's right to receive training in his preferred official language was denied. Canada Post authorities duly recognized that offering training sessions in French only in Montreal, even with the opportunity to ask questions in English, constitutes an infraction of the Official Languages Act. Henceforth, Canada Post will ensure that all professional training is offered in both English and French in Montreal and that all documentation will be available simultaneously in both official languages.

"Why don't you get Ami-Pro in English?"

That was the answer a complainant received from an informatics officer of Public Works and Government Services Canada when he asked to have the French version of Ami-Pro software repaired.

After our intervention the Assistant Deputy Minister, Government Telecommunications and Informatics Services, sent the managers concerned and their employees a memorandum setting out the Department's policy on language of work: "[I]n a designated bilingual region, it is our obligation to provide employees with the working tools they require to fulfil their functions in the official language of their choice."

According to our correspondent this resulted in a definite improvement in service in both official languages.

Must Halifax serve Moncton in both languages?

French-speaking employees of the Public Service Commission who work in Moncton have difficulty in obtaining services in their language from their regional office, located in Halifax.

In 1995 we investigated five complaints concerning the central services provided by this office, in particular financial, human resources and informatics services.

While the Halifax office is not in a region designated as bilingual for language of work purposes, it is responsible for all the offices in the Atlantic region. It is therefore required to provide its services in both official languages to employees of the Moncton office, since New Brunswick is a region designated bilingual.

Given the important role that the Moncton office has in language of work, the Office of the Commissioner decided at the end of the year to conduct a follow-up to ensure that the measures proposed by the PSC do in fact resolve the problems raised by the complaints.

FOLLOW-UP: LANGUAGE OF WORK IN THE NATIONAL CAPITAL REGION

In last year's Report the Commissioner deplored the fact that 25 years after the adoption of the Official Languages Act, deficiencies pointed out on several occasions persist in language of work and that French still does not always have an equitable place in federal institutions in the NCR.

Stressing that only a commitment by deputy heads and their managers can overcome the systemic barriers that prevent French-speaking employees from working in their language in the NCR, the Commissioner made four recommendations to the government.

The purpose of these recommendations was to ensure that measures were taken so that **employees can write internal documents, participate in meetings, attend training courses and have access to regularly and widely used software and other materials in the official**

language of their choice and so that senior Public Service managers meet the language requirements of their position by 1998.

The Treasury Board took measures to respond to these recommendations. In June it published a brochure, prepared jointly with the Office of the Commissioner, entitled "English and French in the Workplace — What Federal Employees Need to Know" to remind managers and their employees of their rights and obligations with respect to the official languages. On November 1 the Treasury Board Secretariat contacted deputy ministers, the heads of central agencies and the administrators of Crown corporations to indicate that it supported the thrust of the recommendations of the study and to ask them to take action on the recommendations.

To overcome the systemic barriers that prevent French-speaking employees in the NRC from working in their language the Commissioner made recommendations to the government. On November 1, 1995, the Treasury Board contacted deputy ministers, the heads of central agencies and the administrators of Crown corporations to ask them to take action on the recommendations.

The TBS proposes to monitor the situation closely by means of management and planning tools such as its letters of understanding signed with federal institutions and the related reports that these institutions submit to it annually.

We believe, however, that exceptional measures are required, given that slightly over 40% of senior managers still do not meet the standard of two-language capability that will be mandatory in 1998.

Since this situation is unacceptable **the Commissioner recommends that the Treasury Board Secretariat state, in a general report during 1996, what action was taken by federal institutions on each of the recommendations concerning language of work in the NCR.**

In 1996 we will also **follow up on the specific recommendations** made in connection with each of the studies of the 11 federal institutions that were the subject of language of work audits in the NCR.

d) EQUITABLE PARTICIPATION

The Treasury Board Secretariat is in the process of putting in place a new information system on employees of the federal Public Service; it should be operational as of April 1, 1996. The information previously provided by the Official Languages Information System (OLIS) is no longer available. As a replacement TBS has prepared special interim tables which give a general idea of the situation from the usual points of view, but which involve several unknowns, particularly with regard to the first official language of employees and their employment category.

In view of these limitations we restrict ourselves in the following pages to rather general comments. We will discuss only overall participation rates without a breakdown by employment category or by institution. We will, however, monitor the situation closely and analyse participation as soon as the new TBS information system on public service employees is able to provide the desired information. We will return to this issue in our Annual Report next year.

OVERVIEW

One major event marked 1995: the beginning of a massive and planned downsizing of the Public Service of Canada. There was a reduction by some 11,000 employees compared to 1994. The departures, however, did not have a significant impact on overall participation rates within the Public Service.

For other federal institutions, TBS provides overall figures without making a distinction between Crown corporations, the Canadian Forces, the RCMP and the other agencies. Since these figures date from late 1994 they do not take into account either the cuts in positions or the departures that occurred in 1995. These institutions have 232,337 employees, 25.8% of whom are Francophones, 72.5% Anglophones and 1.7% employees whose first official language is not known (Table III.3).

SITUATION IN THE REGIONS

In most regions of the country the participation of the two language communities in federal departments corresponds quite closely to their presence in the regional population. Only Quebec constitutes an exception: except for the part of the province located in the National Capital Region, and for Crown corporations, English-speaking participation remains stagnant year after year — this despite repeated efforts to redress the situation.

SITUATION IN QUEBEC

English-speaking employees of federal departments located in Quebec constitute only 5% of staff (the first official language of approximately 2% of the staff is not known). (Table III.4) English-speaking participation therefore appears to have dipped slightly compared with last year.

Table III.3
Participation in federal institutions

	Anglophones	%	Francophones	%	TOTAL	Unknown	%	TOTAL
Public Service	141,129	70.6	55,938	28.0	197,067	2,950	1.5	200,017
Other institutions*	168,463	72.5	59,983	25.8	228,446	3,891	1.7	232,337
TOTAL	309,592	71.6	115,921	26.8	425,513	6,841	1.6	432,354

* Institutions not coming under the authority of the Treasury Board.

Sources: Treasury Board, 30 September 1995.
Official Languages Information System II, Treasury Board, 31 December 1994.

Table III.4
Participation in departments by region



	Anglophones		Francophones		Official language minority population %	Unknown	
		%		%			%
North	1,165	94.4	34	2.8	2.6 (F)	35	2.8
West	41,978	96.5	910	2.1	2.2 (F)	594	1.4
Ontario*	28,147	93.2	1,464	4.8	4.0 (F)	591	2.0
NCR	37,312	60.8	23,236	37.9	35.2 (F)	813	1.3
Quebec*	1,342	5.0	25,204	93.1	13.2 (E)	528	2.0
Atlantic	22,549	87.6	2,854	11.1	12.2 (F)	347	1.3
Abroad	857	75.0	286	25.0	n.a.	—	—
Unknown	7,779	79.6	1,950	20.0	—	42	0.4
TOTAL	141,129	70.6	55,938	28.0	—	2,950	1.5

* Excluding the National Capital Region (NCR).

Source: 1991 Statistics Canada census data.

Table III.5
Recruitment by the Public Service Commission

REGION	RECRUITMENT			FRANCOPHONE POPULATION (1991 census)
	TOTAL	Francophones	%	
NCR	10,442	3,279	31.5*	35.3
Quebec	5,466	5,189	94.9	86.8
Ontario	4,853	430	8.9	4.1
New Brunswick	961	288	30.0	33.9
Atlantic	2,888	112	3.9	4.0
West and North	8,264	105	1.3	2.2
TOTAL	32,839*	9,447	28.7*	25.2

* In some cases the region was not known.

Source: Public Service Commission.

In 1995 English-speakers represented 5.1% of the personnel hired and 6.5% of employees promoted under the Public Service Employment Act (Tables III.5, III.6). These rates correspond quite closely to that of their participation in the federal Public Service in Quebec as a whole but are still far from the 13.2% that they represent in Quebec society. The Public Service Commission, following up on a suggestion we made last year, has established a task force, including representatives of the English-speaking community, to examine the situation from the sociological, psychological and political points of view.

Over the next two or three years the PSC will conduct a survey and publish a report on trends with regard to English-speaking participation in Quebec. This time-span seems to us longer than necessary. It would also be desirable for the Treasury Board Secretariat, which is ultimately responsible for the Official Languages Program, to join its efforts with those of the PSC in advancing this project.

In the other federal institutions in Quebec, as of December 31, 1994, before the cutbacks even started, English-speaking employees made up 18.2% of staff. For French-speakers the figure was 80.3% and those whose first official language was not known accounted for the rest (1.5%) (see Table III.7).

Nearly 54% of federal institutions in Quebec are agencies that do not report to the Treasury Board. As we noted last year, the participation of English-speaking federal employees in these institutions is higher than in the Public Service; in fact, it corresponds approximately to their presence in the general population.

INTERIM SUMMARY OF THE SITUATION

Although, because the cutbacks imposed are so recent, we have only partial information on the situation, it does not seem that the staff reductions have had a significant impact on the participation rates of English-speaking and French-speaking employees in federal institutions. (Table III.4 shows participation by region and Table III.8 by official language and employment category.) In fact, the situation of recent years remains essentially unchanged.

COMPLAINTS

With regard to participation, the Official Languages Act has three aspects: equal opportunities for employment and advancement in federal institutions for English-speaking and French-speaking Canadians, representation of the two communities among the employees of federal institutions and the responsibility of these institutions for the achievement of these objectives. The complaints that we have received are related to one or another of these aspects.

The number of complaints filed in 1995 differs considerably from the situation in 1994: 13, compared with 39 the previous year. This year the breakdown of complainants by first official language was approximately the same: 25% Anglophones and 75% Francophones.

The complaints concerning participation were distributed as follows: 4 against National Defence, 2 against Air Canada and 1 against each of Foreign Affairs and International Trade, Human Resources Development Canada, the Canadian War Museum, National Revenue, Via Rail, the CBC and the Communications Security Establishment.

Table III.6
Promotions in the federal Public Service

REGION	TOTAL	PROMOTIONS		WORKFORCE Francophones
		Francophones	%	
NCR	5,302	2,113	39.9	37.5
Quebec	1,657	1,550	93.8*	94.8
Ontario	2,312	114	4.9	4.9
New Brunswick	334	147	44.0	31.7
Atlantic	943	41	4.4*	3.1
West and North	3,195	74	2.3	2.2
TOTAL	13,824*	4,057	27.4*	27.6

* In some cases the region was not known.
Source: Public Service Commission.

Table III.7
Federal institutions in Quebec

	Anglophones		Francophones		Official language minority population (E)		Unknown	
		%		%		%		%
Others	8,322	18.2	36,638	80.3	13.2 %		681	1.5

Sources: OLIS II, Treasury Board, December 1994.
1991 Statistics Canada census data.

Table III.8
Participation in the Public Service of Canada
by first official language and employment category

Category	Anglophones %	Francophones %	Unknown
Management	75.1	23.2	1.7
Scientific and Professional	74.4	23.9	1.7
Administrative and Foreign Service	68.4	30.6	1.0
Technical	75.3	21.4	3.4
Administrative Support	65.7	33.1	1.3
Operational	76.8	22.3	1.0
Unknown	75.7	17.1	7.2

Source: Treasury Board, 30 September 1995.

Complaints made in 1995 involved such matters as lessening of opportunities for employment and advancement, the closing of the Collège militaire royal de Saint-Jean, discrimination based on language and the unilingualism of some competitions held to fill certain positions.

At the time of writing four of the 12 investigations were completed. In three cases the complaints were founded; the fourth was not. We informed the complainants and institutions of the conclusions of our investigations and the institutions agreed to take action on them.

e) INVESTIGATIONS AND AUDITS

AIR CANADA

In 1995 we continued to work on two major linguistic files pending with Air Canada. These persistent problems, which have given rise to many complaints, concern service to the public by Air Canada's "partner airlines" and the Corporation's services at airports, particularly in Toronto and Halifax. In 1995 we investigated 114 complaints involving Air Canada, approximately the same number as in 1994. Seventy-two concerned the Corporation directly and the other 42 concerned its regional carriers.

The Commissioner had made recommendations in 1993 with regard to the services provided by Air Canada at airports to which the Official Languages Act applies (that is, the nine airports that handle at least one million passengers a year). Air Canada was to ensure that its passenger check-in services at these airports are provided in both official languages. The Corporation did not implement this recommendation to the satisfaction of the Commissioner nor, evidently, to that of the travelling public. We received 52 complaints on this subject this year, and there had been a total of 127 in the three previous years. The problems persist, especially at the Toronto airport, which was the subject

of 18 complaints, and at that in Halifax, where we recorded eight complaints. From 1992 to 1994 these airports were the sources of 39 and 23 complaints in total respectively.

**Despite the recommendation made
to Air Canada by the Commissioner in 1993,
we received 52 complaints
about passenger check-in services
at airports in 1995.**

In the case of Lester B. Pearson Airport in Toronto the special investigation we conducted in 1995 showed that the campaign launched by Air Canada to make its employees more aware of their linguistic obligations had produced good results. The Corporation took various measures to ensure that its unilingual agents can quickly obtain assistance from a bilingual colleague. In addition, it produced a sign announcing the availability of service in both official languages, and its bilingual agents now wear a pin so that travellers can identify them easily.

The management of Air Canada has made firm commitments to improve service in French at this airport; however, there are still problems at the Rapidair counters, in the Maple

Leaf lounges, at the security screening and in the baggage retrieval areas. To ensure the provision of consistent and adequate two-language service at all times the Corporation will have to designate key positions as bilingual. In particular, **the Commissioner made recommendations that Air Canada ensure that each point of service has sufficient bilingual staff; that two-language check-in positions be clearly identified; that it issue instructions to bilingual agents to greet passengers in both official languages and to unilingual Anglophones to call immediately on a bilingual colleague to serve any passenger speaking French; and that it ensure that all boarding announcements are made in both languages.**

At Halifax airport our repeated meetings with the Corporation's management did not produce the hoped-for results. The lack of service in French persists despite measures taken by Air Canada in response to our recommendations. While the Corporation conducted a campaign at Halifax too to make its employees better aware of their official languages obligations, it points out that the creation of bilingual positions arouses opposition.

It seems that the basic problem has to do with labour relations. According to Air Canada the application of collective agreements prevents it from assigning its bilingual employees where they are needed. Air Canada says it is attempting to resolve this problem, particularly in Toronto and Halifax, by negotiating the issue with the union. Its willingness to designate a certain number of key positions as bilingual appears, however, to meet with resistance from the union, which objects to the constraints that the language requirements would impose on the bidding for assignments, which are granted in accordance with seniority rights defined in the collective agreement. We reminded Air Canada that the Official Languages Act is of a quasi-constitutional nature and that laws have primacy over collective agreements. Unless the Corporation takes the measures required to rectify this situation the Commissioner will seek a court decision on this important issue.

With regard to its regional carriers, Air Canada continues to maintain that Section 25 of the Act does not apply to Air Nova, Air Alliance, Air Ontario, Air BC and NWT Air, even though these companies have become its wholly owned subsidiaries. Under the Act Air Canada, considered as a federal institution, must ensure that third parties acting on its behalf provide their services to travellers in both official languages, as it itself is required to do under the provisions of the Official Languages Act and regulations. The Corporation maintains, however, that its regional carriers are separate legal entities that do not act on its behalf.

The complaints made against Air Canada's regional carriers therefore remain unresolved. Since 1992 we have received a total of 173 complaints involving these companies, 42 of them in 1995. We are pursuing our discussions with Air Canada in order to be able to investigate these complaints, which involve mainly Air Ontario and Air Nova, but thus far our discussions with the Corporation have not produced any useful result. If no understanding is reached the Commissioner could ask the Federal Court to rule on the status of Air Canada's regional carriers, on the relationships existing between Air Canada and its subsidiaries and on the linguistic obligations of the parent company and its regional carriers under the Act.

**The Commissioner could ask the Federal Court
to rule on the status
of Air Canada's regional carriers
and on their linguistic obligations under the Act.**

The other complaints made against Air Canada fall into four major categories: in-flight service to the travelling public (25), communications with the media (22), recruiting (5) and miscellaneous (13).

We are still receiving complaints about in-flight service. According to some of our investigations, although most of the employees involved were in fact bilingual, they had neglected to provide service in French.

Air Canada, which had agreed in 1993 to use minority language weeklies pursuant to the Act, now uses French-language media almost as systematically as English-language ones. This is not true, however, of its regional carriers, which were the object of 12 of the 22 complaints in this category filed in 1995.

In the course of the year we received five complaints concerning a recruiting campaign. Two of these were about advertisements in newspapers for customer service agents and flight attendants. The complainants alleged that the advertising seemed to favour English-speaking candidates. It was implied that Francophones had to be bilingual, whereas it was not necessary for Anglophones to know French. At the conclusion of our investigation **the Commissioner recommended that Air Canada ensure henceforth that English-speaking and French-speaking candidates who wish to become employees of the Corporation have equal opportunities with respect to examinations and interviews.** Air Canada acknowledged that the advertisements in question could have given rise to a perception of unequal opportunities for employment, and its president gave assurances that measures would be taken to avoid any suggestion of unequal treatment in the future. Corrective

measures have in fact been implemented for the 1996 campaign. The Corporation also pointed out that 86% of the persons it had hired through the 1995 campaign spoke both official languages.

Another complainant noted that during this recruiting campaign Air Canada had used English only for the invitation and the explanations and instructions given during a screening examination held at its headquarters in Dorval. Air Canada has not yet responded to this complaint in an acceptable manner, despite three reminders by the Commissioner. At the end of the year our investigation was still continuing.

CANADA POST CORPORATION

Although Canada Post Corporation has implemented a number of recommendations made by the Commissioner in past years, in 1995 it was the subject of 152 complaints, an increase of 18% over the year before. A large number of these (126, or 82.9%) concerned language of service; approximately two-thirds involved the absence of service in person at points of sale operated by the Corporation or the private sector (see page 84 for further details about certain problems related to postal franchises in New Brunswick) or visual communications; 16 of the latter had to do with the precedence given to French on Second World War commemorative stamps.

**Citizens continue to tell us
that their addresses on mail received
from large-volume mailers
do not respect their linguistic preference.**

As for the Canadian addressing standard, we continued in 1995 to receive complaints from citizens that their addresses on mailings from large-volume mailers were not in accordance with their linguistic preference. In the majority English-speaking provinces the new addressing standard of the Corporation requires that the French words be replaced by their English equivalents. In Quebec English designations are replaced by their French equivalents. Our investigations showed that large-volume mailers must apply the addressing standard in order to receive reduced rates. The result is that large-volume mailers no longer respect the linguistic preferences of their clients, since addresses are systematically written in French in Quebec and in English elsewhere in Canada. It is cause for surprise that, in this age of computers, personalized addressing is not easily achievable.

Since we began dealing with this issue the repeated interventions of the Commissioner and of the Standing Joint Committee on Official Languages have resulted in some progress regarding the designation of certain thoroughfares. The words “street”, “boulevard” and “avenue”, which designate approximately two-thirds of the types of streets, are now accepted by the Corporation’s machines in both official languages. The situation with the other third of addresses remains to be corrected. In the coming year the Commissioner will continue to work to find a satisfactory and reasonable solution to this problem, which now dates back more than two years.

In Quebec we conducted an enhanced investigation of the language requirements of the Corporation’s driver positions in the Montreal region. The results show that the current identification — French-essential — was not determined in the objective manner that the Official Languages Act requires. We believe that the functions in question could be performed by drivers who speak either official language, as is the case in other regions designed as bilingual for language of work purposes, such as the National Capital Region and Moncton, New Brunswick, since they have very few contacts with the public. **The Commissioner recommended that Canada Post Corporation review the language requirements of driver positions to ensure that they are consistent with the principles of the Act.** The Corporation agreed to implement this recommendation.

We also conducted two follow-ups on earlier enhanced investigations. The first concerned eight recommendations designed to eliminate obstacles to the use of French as a language of work at the Ottawa Mail Processing Plant. We noted that encouraging progress had been made with regard to supervision and that administrative measures had been taken to respect the linguistic preferences of employees and to create a work environment conducive to the effective use of the two official languages. We are monitoring the situation closely to ensure that Canada Post fully meets its linguistic obligations and rectifies the few shortcomings that have not yet been corrected.

The second follow-up concerned the application of the new policy on the staffing of bilingual positions adopted in 1993. This policy was adopted as a result of several recommendations by the Commissioner that the Corporation review its policy so as to permit non-imperative staffing where possible. The results of the follow-up show that managers used non-imperative staffing to fill a number of bilingual positions.

In another investigation we examined the question of cheques written in French. A French-speaking client told us that he had to insist that the a clerk at a unilingual Canada Post counter in Cambridge, Ontario, accept his cheque written in French. (The Bills of Exchange Act stipulates that

where the sum payable by a bill is expressed in words and also in figures and there is a discrepancy between the two, the sum denoted by the words is the amount payable.) During the investigation the Corporation said that the employee was not authorized to cash a cheque whose contents he could not understand, but that it recognized that he should have referred the client to the nearest bilingual counter (which was, however, several kilometres away). After the Commissioner's intervention the Corporation agreed to introduce, Canada-wide, a linguistic assistance service for employees at all points of sale, notably those that are one-language and those that are operated by the private sector.

In 1995 the Corporation took action on a number of complaints by adding a two-language greeting to the electronic cash registers of two-language postal franchises. It also provided a brochure to all employees of post offices and postal franchises required to provide two-language service. The brochure clearly explains their linguistic obligations and suggests simple ways of carrying them out. A guide was distributed to the Corporation's managers to assist them in better understanding and applying official languages criteria when staffing positions. At the invitation of the Corporation we gave retail sales representatives in Toronto and London two information sessions on the role they are required to play when service must be provided in both official languages. Canada Post Corporation believes that thanks to this information its employees will be in a better position to fulfil their linguistic obligations.

CANADIAN BROADCASTING CORPORATION

In 1995 the Canadian Broadcasting Corporation took certain measures concerning the vitality and development of the official language communities, such as, for example, increasing the marketing strategies for the Réseau de l'information (RDI) and improving the radio services provided to the French-speaking community of Prince Edward Island. Of the 17 complaints received this year six concerned the absence of active offer and of service in French at various offices of the Corporation; four of these were at its broadcasting centre in Toronto.

RDI, broadcasting of which is mandatory only in Francophone markets (where French-speaking Canadians constitute over 50% of the population), was received by some 5,250,000 subscribers as of January 1, 1995. After negotiations between the CBC and various cable operators in Anglophone markets this figure rose to 6,000,000 by the end of the year compared to 6,800,000 for the Newsworld network. However, the Fédération des communautés francophones et acadienne du Canada (FCFAC) has identified 110 regions outside Quebec where it believes that access to RDI should be assured. At the time of writing RDI was avail-

able in only 53 of these regions (which, however, include 88% of the clientele identified by the FCFAC). The CBC continues its representations to some 20 cable operators to increase the penetration of RDI in all regions of the country, particularly in Prince Edward Island, where the network is not yet available.

The Commissioner received a number of complaints about the unavailability of RDI in certain regions. These were grouped with similar ones concerning the service provided by cable operators to the official language minority communities and are now the subject of a special study with the CRTC which we discuss on page 52.

**The CBC is listening
to the French-speaking population
of Prince Edward Island.**

For the second year in a row we received a complaint about the difficulty of obtaining information from the CBC in Toronto about its French-language programming. Our investigation showed that when members of the public dial the number published for this service under the French heading of the telephone directory on weekends, a recorded message asks them to dial another number where, in the end, the information is still always not available. Only a single number needs to be dialled for information about English programs. The Corporation should right this inequality in service.

Following an investigation conducted in 1994 we had concluded that the radio program "Bonjour Atlantique — Île-du-Prince-Édouard", broadcast from Moncton, New Brunswick, did not adequately meet the needs of the Island's French-speaking community. In fact news and public affairs from the Island were rarely covered on the program. The CBC had responded positively by announcing the hiring of a French-speaking journalist in Charlottetown. In October 1995 the Corporation took a further step by announcing that this program would be produced in Charlottetown beginning in June 1996. This measure is in keeping with the recommendation made by the Commissioner following his investigation.

CANADIAN HERITAGE

By virtue of the mandate assigned to its various sectors the Department of Canadian Heritage has a vital role to play in promoting the development in Canada of a strong cultural identity and a keen sense of attachment to shared values. In addition, under Part VII of the Official Languages Act the Department co-ordinates the measures taken by federal

institutions to respect the government's commitment to enhancing the vitality of the English-speaking and French-speaking minority communities and the full recognition of English and French in Canadian society. The Department of Canadian Heritage co-ordinated the development of the action plans proposed by 27 federal institutions, which we analyse on page 53.

This year we investigated a situation involving organizations that receive grants from the Department's Amateur Sport sector. The complaint concerned a unilingual English letter sent by the Canadian Sport and Fitness Administration Centre to a French-speaking client and a unilingual English letter sent by Biathlon Canada to various persons in the sports world concerning training centres which did not offer some of their activities in French. The Department was quick to remind the agencies in question of their official languages obligations.

Following up on another of our interventions, the Department re-evaluated its policies and procedures concerning national sports organizations. At the beginning of April it put in place a new Sport Funding and Accountability Framework which meets the requirements of the Act. The question of official languages is the subject of new guidelines stating that Sport Canada expects national sports organizations to recognize that the English and French languages have equality of status in Canada.

We also did a follow-up on an enhanced investigation we had conducted last year to determine whether the services provided to the French-speaking communities of northwestern Ontario (the Thunder Bay region) were comparable to those the English-speaking communities of the same region receive. At the time our investigation had shown that the French-speaking communities of this region were served by the Sudbury office and did not have access to services equivalent to those the same region's English-speaking communities received from the Thunder Bay office. The Commissioner made three recommendations, two of which were only partially implemented.

Despite its efforts, the Department has still not succeeded in filling the part-time bilingual program officer position in Thunder Bay. Meanwhile, services to the French-speaking communities are provided by bilingual officers assigned to the Sudbury district office who travel as required to the northwestern part of the province, thereby ensuring that the language preferences of clients in that region are respected. We believe, however, that this administrative measure does not provide French-speaking communities with service truly equivalent to that provided to the English-speaking communities in northwestern Ontario.

Furthermore, although the Commissioner had recommended that the Department of Canadian Heritage officially inform the French-speaking communities of this region of the arrangements it had made to provide services in the official language of their choice, the Department merely invited by letter one of the associations representing the French-speaking communities of northwestern Ontario to communicate with the Sudbury office.

In the summer of 1995 we received a complaint about the staffing method used by the Department when it published a notice of competition to fill the new position of Director for Northern Ontario. The complainant said that the decision to staff this bilingual position non-imperatively risked having a negative impact on the language rights of the region's French-speaking communities.

Our investigation showed that the incumbent of this position is the Department's official spokesperson in the region and as such is often called on to deal directly with the clientele, which consists of representatives of associations, elected officials and senior provincial, regional and municipal public servants. We also took into account the fact that Northern Ontario is a region where federal public servants have the right to work in the official language of their choice. This adds to the director's linguistic obligations.

We concluded that the position of Director for Northern Ontario is indispensable and that the incumbent's role has considerable operational impact. This position should therefore be filled by someone who is already bilingual. **The Commissioner recommended that the Department staff the position imperatively, i.e., appoint a candidate who already meets the language requirements of the position in order to comply with the provisions of Section 91 of the Act.** The preliminary version of the investigation report was given to the Department at year's end and we expect to receive its comments and those of the complainant early in 1996.

With regard to director positions in the other regions, only the provincial director positions in the Atlantic region were filled by incumbents who had to meet the language requirements of their position upon appointment. The other 18 director positions elsewhere in Canada have been or will be staffed non-imperatively. At the end of the year four of the 18 positions were vacant, nine were filled by incumbents who meet the language requirements of their position and the incumbents of the other five will have to attend language courses.

This year the management of Jasper, Banff and Elk Island national parks offered all their permanent and seasonal employees who deal directly with the public training sessions on service to the public and the active offer of service in both official languages. An officer from our Edmonton office participated in these sessions as a trainer. Similar sessions were held at the Prince Albert national park and in Saskatoon for employees at the historic sites and other parks in Saskatchewan. Officers from our Winnipeg office participated in these sessions.

CANADIAN MUSEUM OF CIVILIZATION

We conducted an in-depth investigation of 10 complaints concerning various aspects of language of work in the Collections Management Services Division of the Canadian Museum of Civilization. Six of these had to do with computer software and systems which were not available in French, one dealt with the language of meetings and the rest concerned either the linguistic capacity of supervisors or their failure to create a favourable environment for the use of French in the workplace.

Our investigation revealed that all the complaints were founded and **the Commissioner made seven recommendations for corrective action.** They concerned specific software and systems, the need for the Museum to respect its own policies regarding language training for incumbents of bilingual positions and the holding of bilingual meetings. Moreover, in the light of a major restructuring of the Corporation, **the Commissioner recommended that the Museum review the language requirements of positions in the Collections Reserves and Consultation Section to take into account organizational changes.** The Museum has accepted all of the recommendations and has already implemented four of them dealing with computer software and language training.

As regards language of service, the Museum's commitment to communication with the public in both official languages is worthy of note and commendation. Its World Wide Web site on the Internet is fully bilingual and products, such as a CD-ROM and a Photo-CD, designed and produced jointly by the Museum and its partners in the private sector, are available in both English and French.

CANADIAN NATIONAL

In 1995 we completed an investigation of a complex situation involving language of work. French-speaking members of a Canadian National train crew departing from the station in Brockville, Ontario, were denied authorization to take a train through to Montreal and believed that their language rights had been infringed. An English-speaking manager of train services, who was responsible for controlling train crews in Brockville, claimed that the French-speaking crew refused to communicate in English with the Toronto Railway Traffic Control Centre and therefore could not operate the freight train safely and without incident on the line crossing eastern Ontario. At the conclusion of the investigation that CN itself had conducted delay of the train was blamed on the crew in question and disciplinary measures were imposed.

The complexity of this case arises from the special conditions that apply. The French-speaking crew, coming from a bilingual region (Montreal), had to operate on a line that first crosses a region designated as unilingual English in order to reach a bilingual region in eastern Ontario. The English-speaking manager in Brockville was responsible for the region, which is designated bilingual, while Brockville itself, where the incident occurred, is in a region that is unilingual English for language of work purposes.

Our investigation brought to light some shortcomings in CN's ability to provide two-language service to its employees where the Official Languages Act requires this for language of work purposes. The members of a French-speaking crew are entitled to communicate in French with the Brockville district office, given that part of the route between Montreal and Toronto is in a bilingual region and is under its jurisdiction. The rail traffic control centre and client services in Toronto are also required to provide two-language service. However, they do not fully meet their linguistic obligations, despite their responsibility to ensure control of trains operating on the railway line that crosses the bilingual region in eastern Ontario.

The Commissioner recommended that Canadian National inform him of the measures that it intends to take to ensure that its organisation and systems henceforth meet its linguistic obligations to crew members who travel through the bilingual region of eastern Ontario; that it inform its employees of the Corporation's obligations, of their rights and of the linguistic rules applicable to various regions; and that it reconsider the imposition of disciplinary measures on the three French-speaking crew members.

While it acknowledges the linguistic obligations of its central services in Toronto, CN has declined all linguistic responsibility for the supervision provided by the manager of train services in the Brockville district, citing the principle of territoriality, whereby Brockville is a location where English is the language of work. The Commissioner continues to believe that the supervisory responsibilities of the manager of train services in Brockville, as manager of the entire district, include linguistic obligations which must be respected even though the office itself is located in a unilingual region. Moreover, the Corporation has refused to review the appropriateness of the disciplinary measures imposed on its employees.

The government has decided to sell its stake in CN and the Canadian National Commercialization Act was tabled in Parliament in 1995. This bill defines the legal and linguistic framework that is to govern CN's commercial operations. The commercialization bill states that the Official Languages Act shall continue to apply in its entirety, as if the new Corporation were still a federal institution. The Commissioner expressed satisfaction with the terms and conditions of the legislation.

CANADIAN RADIO-TELEVISION AND TELECOMMUNICATIONS COMMISSION

It is the mandate of the Canadian Radio-Television and Telecommunications Commission to regulate all broadcasting companies in Canada. It must ensure respect for the national broadcasting policy set out in the Broadcasting Act as well as objectives regarding Canadian content and access to radio and television broadcasting services in English and in French.

The technological progress that will now make it possible to offer hundreds of new television services by satellite opens the way to international competition and is forcing the Commission to re-examine the way in which it regulates the Canadian radio and television broadcasting industry. In this context the CRTC must respect Section 41 of the Official Languages Act, which commits the government of Canada to enhancing the vitality of the English and French linguistic minority communities in Canada and fostering the full recognition of English and French, as well as other applicable provisions of a linguistic nature.

The granting by the CRTC in 1994 of a licence permitting the CBC to operate a French-language 24-hour news network, known as the Réseau de l'information (RDI), a counterpart to Newsworld, was a step in this direction. However, despite the Commissioner's position in favour of mandatory broadcasting of this specialized service Canada-wide, the CRTC opted for mandatory broadcasting in

markets with at least a 50% Francophone population and optional broadcasting elsewhere, as the CBC had requested. In February 1995 the CRTC agreed to accept a request for mandatory broadcasting of RDI if the network's actual penetration did not reach a satisfactory level. At the end of the year RDI was received by 6 million of Canada's 7.5 million homes with cable. Despite significant progress in the availability of RDI, however, quite a number of French-speaking communities outside Quebec, notably that in Prince Edward Island, still do not have access to this service.

In the fall of 1994 a number of cable operators rearranged their programming to make room for new specialized services. We subsequently received 26 complaints concerning the distribution of channels in the minority official language in various regions, of which 10 dealt with RDI. These complaints are currently the subject of a special study which is discussed on page 52.

**The CRTC will have to make
its advertising policy
comply with the Act.**

The Act establishing the CRTC obliges it to publish its notices and decisions in newspapers. Since 1993 we have received a number of complaints about CRTC notices and decisions that were not published in a minority official language newspaper. These complaints prompted the Commissioner to recommend in 1994 that the CRTC take the measures necessary to comply with Section 11 of the Official Languages Act, which obliges federal institutions required to publish announcements in newspapers to do so in those of both official languages. In acting on this recommendation the CRTC took advantage of the fact that it was changing its advertising agency to attach its policy, which is inspired by Section 11 of the Act, to the agency's contract. Nevertheless, we received seven additional complaints in this regard in 1995, six of which came from Nova Scotia. After several discussions and meetings the CRTC agreed at the end of the year to resolve the persistent problem in that province. As for its policy, some elements of which are confusing, we received assurance that modifying its content to make it consistent with the Act will be discussed with the Commission's management committee.

CITIZENSHIP AND IMMIGRATION

Two complex problems were on the Commissioner's plate in 1995. Both concerned immigrant integration. In one, dealing with Quebec's COFIs (Centre d'orientation et de formation des immigrants), it was alleged that the course materials used do not recognize and convey the two-language history and present-day reality of Canada and do not acknowledge federal funding. It was further alleged that the federal-provincial agreement giving Quebec the entire responsibility for immigrant integration and constituting the withdrawal of the federal government from the field contravenes the Official Languages Act and Section 95 of the Constitution.

The Commissioner concluded that the federal-provincial agreement is not a contravention of the Official Languages Act, nor of Section 95 of the Constitution.

He found that several other federal-provincial agreements have been concluded in this field and that none contains a linguistic clause. He felt that this was an omission.

He also found that, with occasional exceptions in New Brunswick and one in the National Capital Region (see below), all immigrant integration programs across Canada are carried out in the majority language of the province or territory. Federal policy has as a primary objective the preparation of immigrants for the job market and considers that in each province or territory the principal job market exists in the majority language.

The Commissioner found that course materials currently in use in Quebec's COFIs do, with the exception of certain introductory pages in one document, refer to the contribution of English-speakers to Canada's history and to the linguistic duality of the country today. He failed, however, to find a reference to federal funding of the program.

In the other matter it was alleged that immigrants settling in the Ottawa-Carleton region do not have access to basic language training in French under the Language Instruction for Newcomers to Canada (LINC) program.

This was found to be true, partly because of a lack of funding and partly because a system for assessing French-language proficiency in such programs has not been developed.

Citizenship and Immigration Canada designated the Ottawa-Carleton Assessment and Referral Centre to administer a new French-language proficiency assessment tool. Some immigrants had been referred to La Magie des lettres, an organization dedicated to the teaching of basic literacy skills, and the Department decided to use La Magie's list of candidates, determine their eligibility, evaluate them and make appropriate referrals of those meeting the criteria. As a short-term measure the Department provided funding to La

Magie des lettres for French-language training for immigrants who qualify under the LINC program.

The Commissioner made recommendations notably concerning the local planning process and community input. The Department reacted favourably, but declined to include under the LINC program a certain number of persons who had not, as immigrants, been able to obtain language training in French and who had since become citizens. They were referred to Canada Employment Centres for language training administered by Human Resources Development Canada.

COMMUNICATIONS SECURITY ESTABLISHMENT

The role of the Communications Security Establishment is to help the federal government improve the security of telecommunications, networks and computer systems. It also provides a signals intelligence service in support of Canada's foreign and defence policies.

In March and April the Commissioner carried out a follow-up on the status of 23 recommendations made to CSE following our 1993 audit of its official languages program. We found that considerable progress has been made: 12 recommendations have been fully implemented while 10 have been partially met. One recommendation involving the availability of work instruments in both official languages was not given the attention we felt it deserved.

The percentage of incumbents who meet the language requirements of their bilingual positions has increased throughout the organization and currently stands at 73.5% compared to 58.4% in 1993. Two-language voice-mail systems and alternative administrative arrangements are generally successful in covering those situations where bilingual positions do not yet have bilingual incumbents. CSE has informed its employees of their obligation to provide an active offer of two-language service to clients and we found that, with a few exceptions, service is offered in both languages. CSE keeps track of the language preferences of its regular suppliers and, when recruitment advertisements or calls for tender are published, they are placed in both English- and French-language publications. In addition, audio-visual materials are now consistently produced in English and French versions of comparable quality.

CSE is still experiencing problems respecting the language of work of its employees. The recommendation in this regard that was not properly addressed dealt with the availability in both official languages of work instruments such as software, manuals and keyboards. While CSE did circulate information bulletins on language of work rights and obligations, a revised official languages policy and formal directives on this topic are still pending and should be

issued without further delay. On a more positive note, work units that provide services to other federal institutions have for the most part acquired the capacity to offer and to deliver these services in both languages.

Despite limited staffing and low employee mobility, CSE has made some progress towards a more equitable participation of English-speaking and French-speaking staff at all levels of the organization. Overall, the participation of French-speaking employees has risen from 19% to 21.3%. Management accountability for implementation of the official languages program is still not clearly expressed in all workplans. Some progress in this regard is evident, however, and CSE should seize the occasion of issuing its new official languages policy to entrench more firmly the practice of rating its managers' performance against clearly established official languages objectives.

FISHERIES AND OCEANS

We conducted an investigation at the Department of Fisheries and Oceans following four complaints concerning the Department's reorganization of its regional offices in the Maritimes. The complainants were concerned that a shift in decision-making from the Department's Moncton operations to the Halifax headquarters of a new Maritimes Region would adversely affect the development of the Acadian community, which is heavily dependent on the well-being of the fishing industry. (Moncton is in an area designated bilingual with regard to language of work; Halifax is English-only in that regard. As well, Halifax is much farther from the principal concentration of Acadian population.)

The complaints were investigated in light of the government's commitment, as outlined in Part VII of the Official Languages Act, to enhance the vitality and promote the development of official language minority communities. During the investigation we interviewed senior officials in Ottawa, Moncton and Halifax. We examined the reasons which had led the Department to establish its Moncton operations in 1981 and the changes which have occurred in the region since that time. We also reviewed the implementation of the reorganization, which was still taking shape at the time of our interviews. The investigation report was being drafted at the end of the year.

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

At the conclusion of a special study on services to and communications with the public at missions abroad the Commissioner made a series of recommendations to the Department of Foreign Affairs and International Trade to enable it to comply better with the requirements of the Official Languages Act. With regard to language of work, an investigation concerning the quality of the French version of software resulted in a recommendation that the Department agreed to implement. Integration of the elements of the official languages program is continuing at all levels of the Department's decision-making process.

The purpose of our special study was to evaluate whether services of Canadian embassies and consulates are provided in both official languages and the extent to which the administrative framework put in place by the Department ensures the availability and delivery of these services. We conducted telephone audits at 34 selected missions. Overall, 76% of the missions greet callers in English and French and 78% can provide their services in the mission's second official language. These results include reception services and second-line services such as consular and commercial services. They show that deficiencies persist, since all missions must provide their services in both our official languages. It should also be noted that reception services are generally provided by local staff who are recruited in the host country.

To rectify the shortcomings brought to light **the Commissioner recommended that the Department take the necessary measures to ensure that telephone reception is always provided in both of Canada's official languages at the first line of service, and at the second line when the employee in reception does not know what the speaker's language is. He also asked those responsible to take temporary measures as required and to distribute a phrasebook containing the most common English and French expressions to all employees of missions who are assigned to telephone reception.**

The study showed that the Department maintains generally adequate two-language capability abroad, particularly among rotational Canadian staff, 60.5% of whom are bilingual. In August 1995 the two-language capability of heads of mission was 82%. We also noted that employees engaged locally and assigned to service to the public do not always have the necessary knowledge of English and French. Our study sample showed that only a third of staff assigned to provide service to the public, mainly in reception and consular services, have an adequate knowledge of English and French.

Our study showed that if locally engaged staff at missions are not always able to provide service in both official languages it is because the Department has difficulty finding employees with a knowledge of both our languages as well as of the local language or languages. It must therefore rely primarily on language training and find innovative ways of encouraging employees to improve their language skills once they are trained. **The Commissioner recommended offering locally engaged staff who serve the public, on a priority basis and without delay, the language training they need to respond to requests in both official languages. He also called on the Department to take all measures it deems appropriate to attract and keep bilingual candidates who have been engaged locally.** The preliminary version of the report was forwarded to the Department in November 1995 and we expect to receive its comments early in 1996.

Service to the public in both official languages at Canadian missions abroad: encouraging progress, but the situation must still improve.

Our Office received a particular complaint concerning the Canadian mission in Beijing. Eleven participants in the Forum of Non-governmental Organizations at the United Nations World Conference on Women complained that information sessions given by Canadian representatives of our Embassy had been in English only. **The Commissioner recommended that the Department review the two-language capability of Embassy employees and that appropriate measures be taken so that services in both official languages can be provided to trade and conference delegates.**

A complaint involving the Department's Headquarters concerned the poor quality of the French version of Signet C-2 software compared with the English version. The C-2 component of the Signet system is used for international transmission of secret information within the network. Since no solution was proposed **the Commissioner recommended that the Department take measures to ensure that before going into service Signet C-2 software is of equal linguistic quality in its English and French versions.** The officials responsible welcomed this recommendation and assured us that corrective measures would be taken before the software does go into service.

In its management of the official languages program the Department pursued the objectives set out in its letter of understanding with the Treasury Board and is striving to take them into account in its routine decision making. It has completed a review of its official languages policy and

expects to distribute it shortly. Information on the official languages program was published in the Department's weekly employee bulletin.

HEALTH CANADA

Most of the 71 complaints involving Health Canada that we investigated in 1995 concerned the language of work of employees in the National Capital Region.

Our investigations of 18 unilingual English messages sent by internal electronic mail established that the Department's policy on the sending of messages to employees had not been followed. Reminders issued to the employees resolved the problem. Eight complaints concerned the poor quality of the French version of bilingual electronic messages.

The principles of the Act regarding language of work apply to modern communications technologies.

Fourteen other complaints concerned unilingual English messages recorded on voice mail boxes. Most of them involved inadvertent errors that were quickly corrected after reminders were given to the employees.

Six complaints raised the problem of work instruments provided to employees in English only. In some cases the Department acknowledged its error, but the documents in question were outdated and there was no longer any reason to translate them. This kind of situation could be avoided by taking into account the linguistic aspect of documents from the start of their preparation. With regard to unilingual work instruments for management, which are not regularly and widely used, a bilingual summary will continue to be distributed to employees.

Health Canada has developed a communications plan to make its managers and employees more aware of their responsibilities with regard to language of work. We fully expect that this initiative will have a positive impact.

We conducted an investigation of a presentation made by a private agency in English only to a group of employees. This agency had asked for the meeting to present a progress report on its project, which was funded by the Department. We informed the Department that it should have served as linguistic facilitator for this presentation, for example by introducing the participants in both languages, inviting the employees to ask questions in their own language and summarizing the presentation in the other language.

Warning: Danger

We pursued our investigation of two complaints filed in 1994 about unilingual English warnings on toys. The warnings notified the consumer that these toys contained small parts and could present a danger to children under the age of three. While the toys in question did not constitute hazardous products under the Hazardous Products Act, Health Canada made representations to the Canadian Toy Association, which recommended that its members provide two-language warnings. At year's end we also took action on this important issue with Industry Canada, which is responsible for the implementation of the Consumer Packaging and Labelling Act.

**Health and safety warnings
to consumers should appear
in both languages.**

HUMAN RESOURCES DEVELOPMENT CANADA

We investigated 110 complaints involving the Department of Human Resources Development; most of them (72) dealt with the language of services provided to the public through the Department's extensive network of Canada Employment Centres (CECs). We completed two major investigations of complaints lodged last year concerning vocational training programs in French in Ontario and the translation of appeal decisions about unemployment insurance. We also monitored the progress of implementation of a program to improve the linguistic quality of automated job offers.

Of the 72 complaints involving the CECs 30 dealt with telephone communications, in particular in Ontario, Quebec and British Columbia; 18 with written communications, mainly in Ontario and the West; and 13 with communications in person, particularly in Ontario.

**There are inequities in training programs
offered to Franco-Ontarians
under the Canada-Ontario
Labour Force Development Agreement.**

In 1994 we undertook to investigate a complex complaint lodged on behalf of the Franco-Ontarian community concerning vocational training and human resources development which, in the complainant's opinion, do not take sufficiently into consideration Franco-Ontarian needs. More specifically, the complainant alleged that CECs offered few vocational training programs in French and that the Department had not developed an occupational training strategy which met the particular needs of the minority language community. It was also alleged that members of this community did not receive an equitable proportion of the training funds allocated in the Canada-Ontario Labour Force Development Agreement (COLFDA) and that the Agreement did not offer compensation for previous losses. Furthermore, it was alleged that Franco-Ontarians had only one seat on the Ontario Training and Adjustment Board (OTAB), an insufficient voice on local boards and no separate budget or administrative structure. The complainant also stated that the boundaries of the local board areas, as currently drawn, adversely affected the Franco-Ontarian community and exacerbated their minority status by submerging them in the local Anglophone majority. The complainant also alleged that the Canadian Labour Force Development Board (CLFDB), which advises the federal government and makes recommendations on training issues, had failed to take measures to implement Part VII of the Official Languages Act.

Occupational training is an area of shared federal and provincial jurisdiction, and is offered in Ontario under the terms of the COLFDA. Federally, the Department is responsible for labour force development and offers a variety of programs and services in employment, social development, education, income support, services for members of employment equity groups, adjustment and labour market information.

In 1993 provincial training and adjustment programs were placed under the auspices of the OTAB, for which the Ontario Minister of Education and Training is responsible. It must ensure that adult learners can participate fully in society and the economy through appropriate access to general education, training and development.

A number of provisions in the COLFDA refer to French-speaking persons in Ontario and to special measures that should be taken on their behalf. These provisions reveal a general intention on the part of the two levels of government to establish training and adjustment programs capable of being delivered in French. However, the results have fallen far short of equitably fulfilling the federal government's obligations under Part VII of the Official Languages Act.

We found inequities with regard to the quality and quantity of the training programs offered in English and French as well as weaknesses in the referral process. While Francophones were included in the COLFDA among the groups known as “client equity groups”, that is, groups which are underrepresented in employment and training and face barriers to full participation in the active labour force, we found no evidence that measures aimed specifically at overcoming such barriers had been taken.

Our investigation also revealed shortcomings in the data capture system. The Department's current system does not allow it to retrieve data on the various training programs by official language since the software used to manage this activity does not require that language be entered into the database.

The Commissioner made 11 recommendations to Human Resources Development Canada. They touched on the provision of training that takes into account the needs of the Francophone community in terms of the numbers and quality of the courses offered; the active offer of courses in French to Francophones by CEC counsellors; the development of specific objectives relating to Parts IV and VII of the Official Languages Act and the inclusion of such objectives in future labour force agreements; the improvement of the needs determination process to ensure that the requirements for training in French are identified and funded accordingly; the representation of Francophones on local boards relative to their presence in the community; the reassessment of the boundaries of local boards to ensure that Franco-Ontarian communities have not been submerged in the local majority by the creation of new local board areas; the review of the organizational structure for occupational training to determine how well it corresponds to the needs of the French-speaking community; the development of improved systems for the capture, analysis and communication of data; the addition of an appropriate number of seats on the CLFDB for Francophones outside Quebec, and the expansion of its mandate to include an advisory function in terms of the implementation of Part VII of the Official Languages Act.

The report on this complaint was made final in December 1995 and took into account extensive comments made by the complainant on the draft report and the generally positive reactions of the Department to each recommendation.

An investigation of the availability in both official languages of decisions on appeals concerning unemployment insurance payments revealed that French translations were taking up to several months. We also found weaknesses in the process for selecting those decisions requiring simultaneous distribution in both languages. **The Commissioner recommended that the Department revise procedures to ensure conformity with its obligations under the Offi-**

cial Languages Act relating to the translation of decisions by federal courts. The Department responded by agreeing to take corrective actions and by proposing alternative means to achieve the same objectives.

We also reported last year that the Department was considering the implementation of a program called JOB-SCAN that would eliminate most of the problems involved in the translation of job offers and would result in the improvement of their linguistic quality. Although the program has been available to CECs across Canada since April 1995 only a few of them have received the training required to implement it properly and we are still receiving complaints about this matter. We are following the situation closely.

MARINE ATLANTIC

In January 1995 Marine Atlantic submitted an action plan to implement the recommendations made by the Commissioner as part of an audit follow-up we conducted in 1994. While the Corporation has achieved a number of its objectives some activities provided for in the action plan have not yet been carried out. The Commissioner has requested that Marine Atlantic submit an update of its action plan in early 1996.

The progress made by the Corporation during the year was, among others, in the areas of signage, active offer signs and announcements. Many employees at ferry terminals and on the ferries now wear a badge indicating their ability to serve the public in either official language. The personnel working at the food counter concession in the ferry terminals at Borden, Prince Edward Island, and Cape Tormentine, New Brunswick, are able to serve members of the public in the official language of their choice.

Verbal active offer is still a problem at ferry terminals. In addition, the availability of service in French is not always assured, particularly at the terminals in Sydney, Nova Scotia, and Port au Basques, Newfoundland, where there is no two-language capability during the off-season. At the Borden toll booth only one wicket per work shift is designated to provide service in both languages and service is provided in English only when the toll booth agent is absent for short periods of time.

The availability of service in French aboard ferries leaves something to be desired, particularly on the run between New Brunswick and Prince Edward Island. This deficiency is attributable mainly to the insufficient number of positions designated bilingual. Of the five points of service in regular contact with the public, only the positions of assistant steward and cashier in the cafeteria are designated bilingual. The Corporation unfortunately has not seen fit to

require that the staff assigned to the cafeteria counter, the newspaper stand and the Dunkin' Donuts counter are able to provide service in both official languages. As a result, service in French is provided only sporadically.

NATIONAL DEFENCE

In terms of official languages 1995 was an eventful year for the Department of National Defence and the Canadian Forces. The changes announced in the February budget mean that the Department will have to reduce its staff by 25% (14,900 service members and 12,500 civilians) over the next five years.

The Canadian Forces decided to abandon their own system of linguistic proficiency and second-language evaluation and adopt that of the Public Service Commission. The integral and functional levels that were used to describe the linguistic proficiency of service members will be replaced by the A, B and C levels familiar to federal public servants. The Canadian Forces have adopted a policy designed to make all senior officers bilingual by 1997. Under this policy officers seeking promotion to the rank of lieutenant-colonel or its equivalent must have the Intermediate level of proficiency and candidates for general officer's rank will have to attain the Superior level. We will ensure that officers' opportunities for promotion are not compromised by this policy.

After the strong reactions engendered by the closing of the Collège militaire royal de Saint-Jean in February 1994 the situation stabilized somewhat with the transfer of officer cadets to Kingston, Ontario. The recruitment of young Francophones has since declined from 317 officer cadets in 1994 to 208 in 1995, a decrease of 34.4%. This decline, however, affects Canada as a whole, since there were only 848 officer cadets this year (1,299 last year). The number of Anglophones fell from 982 to 640, a drop of 34.8%.

We received 18 complaints involving the College in Kingston, ranging from insufficient books in French in the library to deficiencies regarding the linguistic identification of secretary positions. The investigations were still in progress at the time of writing. We will continue to pay close attention to this situation.

We brought 61 complaints to the Department's attention, most of them involving service to the public (23) and language of work (31). Four were about equitable participation infractions, two were about the staffing of positions and one concerned the advancement of English and French.

We completed our investigation of six complaints concerning the absence of services in French for the families of service members at Canadian Forces Base (CFB) Moose Jaw, Saskatchewan. This situation prompted four service members to apply for a posting to a French-speaking or bilingual

base and two of them prematurely ended their careers when the Canadian Forces denied their applications. In the course of the investigation we compared the services provided to French-speaking families by CFB Moose Jaw (English-language base) with those provided to English-speaking families by CFB Bagotville (French-language), both bases being located approximately the same distance from an urban centre (Chicoutimi-Jonquière for CFB Bagotville and Regina for CFB Moose Jaw).

**Services provided to the families
of military personnel at CFB Moose Jaw
leave a great deal to be desired;
this situation has serious consequences.**

Our conclusions show that most services are provided in both official languages to the families of service members at CFB Bagotville, but that very few (especially in health care and education) are provided at CFB Moose Jaw. French-speaking service members posted to CFB Moose Jaw, and their families, are thus at a disadvantage compared with their English-speaking counterparts posted to CFB Bagotville.

The Commissioner recommended that the Department of National Defence offer the two service members who had left the Canadian Forces the opportunity for reinstatement in their positions without penalty, that it offer another complainant a posting to a French-language or a bilingual base and that it increase the services provided in French at CFB Moose Jaw. The Commissioner also recommended that the Department and the Canadian Forces evaluate the demand for service in French at CFB Moose Jaw over the period of a year, pursuant to Paragraph 6(1)(a) of the official languages regulations and, should demand be at least 5%, that it provide all the services available to members of the families of service members in both official languages. The draft of the report was forwarded to the Department and the complainants at the end of the year for their comments, which we expect to receive early in 1996.

This investigation ties in with the study we conducted in 1993 on the language of services provided to the families of Forces members. The Commissioner still believes that the latter are members of the public under Part IV of the Official Languages Act, unlike the Canadian Forces, for which the services provided to these families are considered an extension of those provided to Forces members under Part V of the Act. Using this interpretation of the Act, the Department refused to implement 20 of the 27 recommendations that the Commissioner had made, although it assured him

that steps would be taken by the fall of 1996 to adopt the most feasible solutions, given the budgetary constraints that are in effect. The Commissioner intends to pursue his intervention with the Department.

We also conducted an investigation concerning an English-speaking officer who was posted to a bilingual teaching position at Royal Military College in Kingston to give university courses in English and in French. The complainant stated that he did not have the proficiency or the documentation required to teach in French and that this not only had a negative impact on his performance appraisal but also compromised his future and his advancement.

We concluded that the complainant's opportunities for advancement had indeed been compromised by his inadequate knowledge of the French necessary to the teaching in that language of a subject that was in itself difficult, and by the lack of documentation in his second language. We also came to the conclusion that the language requirements of the position did not take into account the linguistic proficiency and knowledge of specialized vocabulary required to enable the complainant to perform his tasks effectively in both official languages. **The Commissioner recommended that the Department review the complainant's performance appraisal, ensure that service members who must perform their duties in both official languages have the appropriate work tools, re-examine the language requirements of the bilingual position of military professor and ensure that service members meet the language requirements of professorial positions before being assigned such teaching tasks.**

We completed an investigation concerning a unilingual automated system that special investigation units in Quebec were to use. Our investigation showed that the system included word processing software in English only and a keyboard that made it impossible to produce accents in French easily. We also found that French-speaking users had not received their training in French. **The Commissioner recommended that the Department make the system bilingual in accordance with a precise schedule and that it make training and updates of the system available in both languages.**

Another investigation, concerning the work environment in the Directorate of Military Manpower Distribution at the Department's Headquarters, showed that the work environment was not conducive to the use of French. **The Commissioner recommended that the Department promote the use of both official languages in internal written communications, offer job training in both English and French and inform supervisors of their responsibilities with respect to language of work.**

We completed our investigation involving a Francophone who ended his military career after failing a clearance-diver course offered in English at Esquimalt, British Columbia. Our investigation showed that the complainant had not taken advantage of all the assistance that was offered to him in French and that the problems he had experienced because he was taking the course in his second language had not been a determining factor in his failure. The investigation showed, however, that the Department should have made the course material and examinations available in French. **The Commissioner recommended that the Department consider the possibility of reinstating the complainant, adopt a plan to make teaching material for the clearance-diver course bilingual and develop an approach to eliminate obstacles of a linguistic nature for French-speaking trainee clearance divers.**

We completed our investigation concerning a civilian French-speaking apprentice sheetmetal worker at the Atlantic region drydock unit who believed that his opportunities for employment had been greatly diminished because he had received his training and passed his selection examination and trade test in his second language. The investigation showed that all the stages of the recruitment procedure are conducted in English only and that no linguistic assistance is offered to French-speaking candidates during apprenticeship training. Our investigation also revealed that the Department's two drydocks employing personnel in this trade are operated only in English. We concluded that although the Atlantic region drydock unit is designated unilingual English the Department ought to have taken the necessary measures to foster more equitable participation of French-speaking Canadians in this trade. **The Commissioner recommended that the Department ensure that all stages of the selection process take place in the official language chosen by the candidate, that linguistic assistance be provided to French-speaking apprentices for the theoretical and practical phases of training and that the trade test be offered in both official languages.**

REVENUE CANADA (CUSTOMS, EXCISE AND TAXATION)

The two enhanced investigations that we conducted this year in the Customs sector of Revenue Canada — at Lansdowne, Ontario, and in the Customs Programs Branch at Headquarters — resulted in recommendations to which management is to respond early in 1996. While pursuing the integration of its Excise, Customs and Taxation components the Department continued to perform well in 1995, thanks to initiatives to promote implementation of the Official Languages Act in its various regional offices.

In the case of the Lansdowne border crossing the complainants alleged that the workload was not distributed equitably among the groups of bilingual and unilingual inspectors and that bilingual employees spent too many hours on the primary inspection line compared to their unilingual colleagues. Because of this they felt deprived of opportunities for outside assignments and for advancement and professional training. Our statistical analysis, based on six months of assignments, showed that the group of bilingual inspectors spent proportionately more hours on primary inspection, which resulted in a corresponding reduction in the number of assignments to other work positions. **The Commissioner recommended that management of the Lansdowne office periodically check assignments to the various work sectors and shifts so as to minimize any imbalances resulting from operational requirements.** Management at Lansdowne is committed to implementing the Commissioner's recommendation.

The second investigation was in response to complaints about the language requirements of four PM-06 positions in the Tariff Programs Division at Headquarters: two manager positions in the Commodity Unit and two others in the Duties Relief Directorate. The purpose of this investigation was to determine whether the linguistic profile of these positions (bilingual at the intermediate level) was adequate for the duties to be performed. The Commissioner concluded that the requirements had not been objectively established, contrary to the prescriptions of Section 91 of the Act; **he recommended that the Department review the linguistic profile of the positions based on objective criteria related to the duties and responsibilities of each position.** In fact, the investigation showed that the superior level is necessary for reading and speech but that the intermediate level is adequate for writing.

In addition, given certain deficiencies noted in managers' knowledge of the principles of the Act with respect to communications with the public, **the Commissioner recommended that a program be introduced to make managers more aware of the need to provide a satisfactory level of service in both languages so as to encourage clients to exercise their right to communicate in the language of their choice, in this case French.** The Department agreed to implement these recommendations. We will conduct a follow-up in 1996.

Revenue Canada took the initiative of giving some 100 information sessions, mainly concerning active offer of service in both official languages, to more than 1,000 employees in the Department's three sectors country-wide. A video-cassette on active offer, "Official Languages: Our Commitment to Service", and a user's guide were distributed to all managers at Headquarters and in the regional offices. It should be noted that the Treasury Board now uses this

educational tool in its presentations to other federal departments. In connection with the consolidation of Excise, Customs and Taxation the Department updated and distributed to its employees its brochure "Official Languages at Revenue Canada", and its *Human Resources Policy Manual* now contains the revised official languages policies.

ROYAL CANADIAN MOUNTED POLICE

In the course of the year five in-depth complaint investigations concerning the Royal Canadian Mounted Police were finalized. They concerned the pilot project for the new recruit training program being developed in English only at the RCMP Training Academy in Regina, Saskatchewan; a related English-only course given to Academy instructors; the lack of equality of employment and promotion opportunities within the Force's ranks in Alberta and the National Capital Region; and a lack of service in French at the detachment in St. Pierre-Jolys, Manitoba. Generally, the Force's speed in implementing our recommendations is testimony to senior management's on-going commitment to respecting the Official Languages Act.

From the fall of 1993 until the fall of 1995 the RCMP completely revamped its basic training program for recruits (now known as cadets) so as to prepare them more effectively for community-based policing. Time constraints were invoked to explain why the entire pilot program was developed exclusively in English. During this transition phase French-speaking cadets were informed that if they wanted their basic training in French they would have to wait for a French troop to be formed. This was targeted for February 1996, which meant that there would be a two-year period during which training in French at the Academy would not have been given. This situation deprived French-speaking cadets wishing to be trained in French of their rights in this regard. **The Commissioner recommended that the RCMP be able to offer the new basic training program in French by November 1995, and that it immediately inform French-speaking cadets that the new training program would be available as of this same date.** The first six modules were available in French in November 1995. Invoking administrative constraints, however, the RCMP did not receive the first French troop before February 1996.

A related complaint concerned the course "Training for Trainers" being given only in English to RCMP Academy instructors (many of whom are French-speaking). Because the training material for this new program was not available in French the instructor training course was offered only in English. **The Commissioner recommended that the RCMP ensure that "Training for Trainers" be offered in French by October 1995.** The RCMP agreed to do so for

the next session in the spring of 1996. We will conduct a follow-up to coincide with the arrival of new instructors at the Academy.

A third complaint came from an English-speaking constable who alleged that his employment opportunities in the RCMP's "A" Division (National Capital Region) were adversely affected by the fact that he is unilingual, and that "A" Division appeared to staff positions with bilingual members only. As evidence, the constable submitted a list of 18 lateral transfers of bilingual members from Headquarters to "A" Division. Our investigation revealed that these transfers of bilingual members had occurred during a period of down-sizing. "A" Division also cited financial constraints and a paucity of English-essential positions, and therefore limited advancement opportunities for unilingual members, as reasons for their decision to accept only bilingual members.

All 18 transfers constituted Priority I (imperative) staffing actions and we could not find adequate, objective justification in the staffing file for this decision. The above-mentioned reasons did not in our view constitute objective criteria for requiring Priority I staffing for all 18 transfers, a situation which in our view therefore contravened Section 91 of the Official Languages Act. However, because equal numbers of English-speaking and French-speaking members had been transferred, we concluded that there had not been an infraction of Section 39 of the Official Languages Act, which outlines the federal government's commitment to ensuring that English- and French-speaking Canadians have equal opportunities to obtain employment and advancement within federal institutions. **The Commissioner recommended that the RCMP review the Priority I staffing mode of the 18 positions in question, using objective criteria as required by Section 91 of the Act; and, in the light of this review, re-examine the candidacy of the complainant for a position within "A" Division.** The Force implemented the recommendations immediately.

This investigation also revealed that out of a total of approximately 614 staffing actions during the 18-month period ending June 30, 1994, there were no more than eight Priority II (non-imperative) staffing actions within this same Division. **The Commissioner further recommended that the RCMP seriously consider making more frequent use of its two non-imperative staffing modes to fill vacant positions within "A" Division.** We will follow up on this recommendation in the spring of 1996.

Access should not be limited
to bilingual employees for all positions
in "A" Division (National Capital Region).

Another complaint came from a French-speaking recruit who had been suspended from the RCMP and who alleged that he had been treated differently from English-speaking recruits because his inadequate comprehension of English did not enable him to benefit fully from the Recruit Field Training (RFT) at the Fort Saskatchewan detachment in Alberta. We found some evidence that the complainant's limited mastery of English had made it difficult for him to demonstrate the qualities required to pass the RFT, and we felt that the RCMP should have taken account of this in examining his grievances. However, the results of our investigation did not support the allegation of harassment of a linguistic nature. The Force made several attempts to compensate for the complainant's language difficulties. **The Commissioner recommended that the RCMP ensure that members have an appropriate command of their second official language before being assigned to a division which uses that language as its sole language of work.** Once again, the Force moved quickly to implement this recommendation.

The fifth complaint investigation concerned allegations from a French-speaking member of the public that service in French was not available in June 1994 at the RCMP detachment in St. Pierre-Jolys, Manitoba, and that the constable in question showed a lack of respect towards the complainant and used intimidation as a result of his choice of official language. Although our investigation confirmed the lack of service in French at the time, we were unable to confirm or disprove the latter allegation. The Force eventually took the necessary corrective measures to provide the required translations to the complainant and to ensure the ready provision of two-language services to the public at the detachment. We did point out that RCMP members and employees need to realize the importance of making an active offer of service, and that the fact that a member of the public is bilingual does not negate the latter's right to be served in his or her preferred official language.

SENATE OF CANADA — ADMINISTRATION

We conducted an on-site investigation of 10 complaints from an English-speaking employee in Maintenance Services of the Senate Administration in Ottawa. One complaint concerned a lack of equal opportunity for advancement; the others related to various language of work problems such as meetings held only in French, work instruments available in French only and the work environment not being conducive to the use of English.

The Senate offers opportunities to its employees to work in other departments for limited time periods to enhance their experience and their career possibilities. The complainant believed that he would not receive due

consideration by the Senate for such a posting because he was English-speaking. We found no evidence to support this allegation.

Our investigation revealed, however, that since most of the employees in Maintenance Services are French-speaking, meetings were conducted mostly in French and supervisors used English only when addressing an English-speaking employee or when an item directly concerned an English-speaking participant. We also found that on two occasions a supervisor made inappropriate comments to the complainant. Senate management has been working on how best to resolve the language of work issue to ensure that employees understand the proceedings at meetings and are encouraged to express themselves freely in their official language of choice. **The Commissioner recommended that by early 1996 the Senate Administration ensure that Maintenance Services staff meetings respect employees' right to receive information and to communicate in the official language of their choice; sensitize supervisors concerning their responsibilities as well as the rights of employees with regard to meetings; and issue an apology to the complainant for the inappropriate comments made to him.**

The investigation also confirmed delays in providing work instruments in English such as training manuals, related booklets, work schedules and memoranda posted on the employees' bulletin board. **The Commissioner recommended that the Senate Administration monitor the situation in Maintenance Services to ensure that managers and supervisors provide equivalent work instruments in both official languages to all employees.** We note that work schedules are now routinely distributed in both English and French.

The work environment which prevailed at the time of the incidents referred to by the complainant was not conducive to the use of English. Until fairly recently there were practices in Maintenance Services which denied language of work rights to English-speaking employees and to the complainant in particular. **The Commissioner recommended that the Senate Administration inform Maintenance Services' managers and supervisors of their responsibility to create a work environment conducive to the use of both official languages.**

We concluded that the Senate Administration had not fulfilled its duty towards the complainant and its English-speaking employees in Maintenance Services by not having been sufficiently sensitive and responsive to their linguistic needs. Before our investigation ended, we noted that the Senate had begun to correct the situation. We will follow up on the implementation of our recommendations in due course.

TRANSPORT CANADA

Transport Canada underwent massive organizational modifications, being one of the departments most affected by the overall downsizing of the federal Public Service. The most important changes include the commercialization of airports and the impending creation of the new Navigation Canada (NAVCAN) entity which will be responsible for air traffic control services. (The legislation establishing NAVCAN is to be tabled in the spring of 1996; it will require complete adherence to the Official Languages Act.) However, large numbers of staff are changing responsibilities as their positions are transferred to other organizations, and continuity is unavoidably affected. One immediate consequence was that the senior management committee on official languages was not reactivated as had been planned.

During the year we concluded a number of investigations of complaints from employees who objected to the manner in which two-language air traffic control services were implemented. In one case, which we had reported as near completion last year, a controller in the Ottawa Terminal Control Unit (TCU) objected to what he perceived as limited career prospects resulting from his position being reidentified as bilingual. This case was suspended when the complainant took the matter directly to the Federal Court before the completion of our investigation. The Commissioner felt that the Court was in a better position to assess the safety issues involved.

The most complex matter regarding the TCU is represented by a group of complaints lodged by air traffic controllers who objected to the identification of all controller positions as bilingual further to the decision to proceed with the provision of two-language service at the Macdonald-Cartier International Airport in Ottawa. The complainants argued that it was not necessary that all controller positions be bilingual, but that two-language service could be provided with only a certain proportion of bilingual controller positions. Our preliminary conclusions were that there was no objective reason for all controller positions to be bilingual and that management and staff in the TCU did not have a complete understanding of the requirements of the Act regarding position language requirements and language of work rights. In responding, the Department provided additional information and raised arguments that anything less than having all positions bilingual would compromise air safety, at least to a small degree; this view was supported by the Canadian Air Traffic Controllers Association and the Canadian Owners and Pilots Association. After careful review, our final conclusion was amended to take these arguments into account. We maintained our other conclusion regarding staff awareness. **The Commissioner recommended that the Department inform and ensure understanding by the Air Traffic Services staff**

and management of their rights and obligations under the Act regarding language of work and position language requirements. The Department has begun implementing this recommendation.

We also completed an investigation of a complaint about the level of language proficiency required and the use of a non-imperative staffing mode in a competition to fill an inspector position in the Air Carrier Branch. We concluded that an objective evaluation of the position's duties required a knowledge of both official languages; **the Commissioner recommended that the Department review the language requirements of the position before proceeding with the staffing action.** The Department advised us that the staffing action had already been completed but it agreed to designate another position as bilingual and to review all positions in the Air Carrier branch to ensure that they are identified in accordance with the Official Languages Act.

The regulations governing services to the travelling public by third parties came into effect at the end of 1994. Consequently, of 66 complaints in 1995 (compared to 39 in 1994) 30 concerned third-party service, 18 concerned other service to the public and 18 concerned language of work matters. The Department has acknowledged that one of its major tasks will be to ensure that concessionaires providing essential services to travellers respect their linguistic responsibilities.

One of the requirements of the new regulations which has proven most difficult to implement is that which requires pre-boarding security inspections of passengers to be provided in the preferred official language of the traveller. The control of these security inspections remains a Transport Canada responsibility although the actual contracts with security firms are administered by air carriers. A special study of the situation in 1993 had revealed that service was so poor that a special report to the Governor in Council was issued. Complaints investigations which have been conducted since the regulations came into effect in December 1994 determined that service problems still exist at many security check-points, that signage identifying bilingual agents and service points was not easily visible and that the signs were used to indicate that service was available generally, but not necessarily at the point where the sign was displayed. A formal follow-up to the 1993 special study has been initiated and we will be pursuing these questions with the appropriate authorities in Transport Canada, with air carriers and with the contracted security firms in 1996.

In a complaint from a candidate in a competition for an air traffic controller position we concluded that French-speaking candidates had been treated in a manner which put them at a clear disadvantage compared to English-speaking candidates. **The Commissioner recommended that the Department offer the candidate another interview before a selection board which was able to communicate with**

him in his language and that the Department bear any costs associated with the new interview. The Department accepted these recommendations and implemented them fully.

In the language of work field there were several complaints about the implementation of a new departmental financial and materiel management system which did not permit users to operate in French as fully as in English. Some corrective measures were taken and resulted in some progress, but a more proactive effort will be required to avoid problems in the future. Other complaints were received regarding information sessions which the Department presented to employees on subjects of interest to those who were retiring or who were affected by the reorganization of the Department. Participants complained that at the "bilingual" sessions they attended French was not treated equally. As a result of our intervention the Department agreed to present the next sessions, in Moncton and in the Ottawa area, separately in each official language.

In another language of work development, as a result of the recommendation the Commissioner made in the context of the 1994 study of the language of work in the National Capital Region, the Department adjusted existing administrative arrangements in order to improve French-language internal services in its purchasing, supply and data processing functions.

VIA RAIL

There have been few changes in the performance of Via Rail with respect to official languages since our last evaluation in 1993. We received 24 complaints in 1995, a number of which were still under investigation at year's end.

This year, however, the Corporation did take measures to rectify a problem concerning service in the two official languages at its telephone sales office in Toronto. Technological changes were made to the telephone system so that clients receive service in the language of their choice. Occasional spot checks confirmed that the corrective measures adopted have produced the desired results.

We took advantage of the nationwide study on service to the public that we conducted in 1994 to verify once again the availability of service in French aboard trains operating in the Montreal-Ottawa-Toronto triangle. The services audited included food services, ticket control and announcements of stops, arrivals and departures. We made 37 trips and found problems on 20 of them. Clearly, the provision of service in French aboard trains making this run still leaves much to be desired. The Commissioner is pursuing the court remedy action taken against Via Rail in this regard at the request of a complainant. The case should be heard in the fall of 1996.

A decision made by the Mediation-Arbitration Commission for Via Rail in June 1995 stipulated that unilingual employees who occupied a conductor position on the run between Montreal and Toronto, following the bidding in the fall of 1994, can continue to fill the same positions — newly identified as bilingual — for the next three years. During these three years Via Rail intends to provide second-language courses to interested employees. All conductors hired prior to April 1, 1968, who still do not meet the language requirements of their position after taking this training will be able to continue to fill their position if they have made the necessary efforts to attain the required level of bilingualism. This decision unfortunately lessens the impact of a previous agreement between Via Rail and the union representing this group of employees, which provided that at least one employee in the group had to be bilingual on every train operating between Montreal and Toronto.

One of the means the Corporation uses to increase the two-language capability of its staff is language training. This year we completed our investigation of six complaints filed by English-speaking employees, two of them from groups of employees who had signed petitions to protest against the self-training method adopted by Via Rail. The complainants alleged that this method did not enable them to acquire sufficient knowledge of French and that consequently they were denied access to bilingual positions. According to the complainants the language training offered to French-speaking employees enabled them to become bilingual and thereby fill bilingual positions.

We found from a comparison of the different methods of language training offered by Via Rail that employees of both language groups enjoyed similar learning conditions and concluded that Via Rail offers its English-speaking and French-speaking employees the same opportunities for language training and that in that context they have equal opportunities for employment and advancement.

f) STUDIES IN PROGRESS

i) THE INTERNET

Internet is a worldwide computer network first developed in English. The federal government has no choice but to develop ways to use Internet for communication and delivery of services.

In 1995 we received 15 complaints about Internet. Most were from the public and dealt with the unavailability in French of various information, the poor quality of some documentation in French and problems associated with accessing information in French such as the lack of software and menus to conduct information searches. The federal institutions concerned generally recognized that they were not in full compliance with the Official Languages Act and took prompt action.

Some problems, such as the Internet English-only “home page”, were quickly resolved. Others required more time to correct, for example the poor quality or lack of availability of certain documents in French; we will follow up to ensure that all necessary corrective measures are taken.

As federal institutions increasingly opt for Internet as a work instrument and for communication with the public, they will have to ensure that they meet their obligations under the Official Languages Act. The complaints we investigated underline several of the principles which should govern the use of Internet by all federal offices with an obligation to provide service in both official languages. Basically, as in all federal communications with the public, the use of Internet must respect the principles of the Act. Accordingly, the home page should be in both languages and clearly indicate to the public that they can access information in the language of their choice; documentation should be posted simultaneously in both languages and be of equal quality in both versions.

Departments are currently developing official languages guidelines and can refer to the *Guide to Internet Use in the Federal Government* issued to federal institutions by the Treasury Board Secretariat in 1995. We are pleased to note that the Guide includes a section on official languages requirements. In addition to reflecting the above-noted principles, this section highlights the importance of affording equal prominence to both languages in cases where an office is required to communicate with the public in both official languages. For regions designated as bilingual for language of work, the Guide underlines the obligation to provide central services and work instruments in both official languages when using the Internet for such purposes.

By year's end complaints received, coupled with the ongoing expansion of Internet usage by the federal government, led us to undertake a special study of 20 institutions to determine their compliance with the Official Languages Act, identify obstacles and propose solutions. We will report on this study next year. Meanwhile, we urge all federal institutions to follow the above-mentioned principles when developing policy or any Internet application.

ii) THE CANADIAN RADIO-TELEVISION AND TELECOMMUNICATIONS COMMISSION

Since the Réseau de l'information (RDI) went on the air and various changes were made to cable television we have received some 26 complaints from various regions of Canada about the minority language programming offered by cable operators to the official language communities. The reasons for these complaints are many: unavailability of RDI, loss of French-language channels, absence of "Newsworld" and of French-language channels on the basic service, airing of programs in English on the French CPAC service, and the channels assigned to minority official language stations by cable operators in the channel guide. The Commissioner brought these complaints to the attention of the Canadian Radio-Television and Telecommunications Commission, which is the agency responsible for regulating Canadian broadcasting. The complaints relating to RDI and "Newsworld" were also brought to the attention of the CBC.

Considering the large number of complaints received, the scope of the problems raised and the importance of television for the support and development of the minority official language communities, we decided to conduct a special study. Its purpose is to determine the extent to which the regulations, directives and policies of the CRTC, as well as the conditions for granting licences, provide results which correspond to the objectives of Part VII of the Official Languages Act, which are to enhance the vitality of the English and French linguistic minority communities in Canada and to support and assist their development. We are also examining how RDI fulfills its Part VII obligations. This study is in progress; we will report on our conclusions in 1996.

We are pleased to report that since the start of our study the situation has improved in some regions of the country. Minority French-language communities now have access to a greater number of broadcasts in their language. For example, "Musique Plus" and "MétéoMédia" have been reinstated by cable operators in the Ottawa region and several communities in the Niagara peninsula now have access to RDI. Thus, in eight of the 26 cases brought to our attention the cable operators decided to offer the minority language communities the services on which they counted. A review of the

CRTC's regulations and their application is nevertheless needed. The Commissioner will make recommendations as required with regard to the other 18 complaints.

The Commissioner takes a close interest in the new technologies that make it possible to improve services provided in the minority language, such as direct-to-home satellite broadcasting, which should provide both linguistic groups with access to a broad range of services in the language of their choice.

iii) EVALUATION OF PART VII ACTION PLANS

Part VII of the Official Languages Act commits the Government of Canada and its institutions to "enhancing the vitality of the English and French linguistic minority communities in Canada and supporting and assisting their development."

In his Annual Report for 1993 the Commissioner stated that most federal institutions lacked a clear sense of what it means to implement Part VII and did not appreciate that it requires going beyond delivering services in both official languages. The Commissioner also found that very few programs had been evaluated in light of this Part and that there was no system of accountability for its implementation.

In August 1994 the Minister of Canadian Heritage announced the establishment of an accountability framework for the implementation of Sections 41 and 42 of the Act. Twenty-six key agencies and departments were required to consult the minority communities and prepare action plans reflecting their needs.

By the end of November 1995 the Commissioner's Office had received copies of these plans, including a 27th prepared by Canadian Heritage itself.

At the time of writing we were in the process of completing a systematic evaluation of the 27 plans. Our comments herein are therefore preliminary; they will have been detailed in a report to the Standing Joint Committee on Official Languages of the Senate and the House of Commons, with specific recommendations to each institution.

A new evaluation tool

It was obvious that the Commissioner would need a set of criteria for analysis specifically designed to evaluate these plans. Such an instrument was developed with the help of specialists. It was also intended that the new instrument could be used by federal institutions as a planning as well as an evaluation tool and that it would therefore be useful in guiding and helping them to prepare a second generation of action plans for the implementation of Part VII.

Objectives of the evaluation instrument

One of the main objectives of the new instrument is to evaluate the extent to which each federal institution's action plan is likely to result in an **appropriate implementation scheme** for Part VII of the Act, a scheme which, taking the institution's specific mandate into account, puts in place the required elements to give equitable effect to Section 41 of the Act. The evaluation instrument is also intended to help identify suggestions and recommendations that the Commissioner might wish to make so as to guide federal institutions as they strive to implement Part VII. The suggestions and recommendations may be aimed at a particular institution, at those working in a given field of activity or at the federal government in general.

Consultation by the institutions with the official language minority communities was a key requirement in the preparation of this first generation of 27 action plans. Our instrument for analysis allows us to evaluate the extent to which **adequate and effective consultation** actually took place.

Preliminary findings: An overview

The elaboration of the 27 action plans under review is without doubt a significant event in terms of the implementation of Part VII and we continue to be pleased that the government made the decisive announcement in August 1994 which led to this development. The plans, however, as measured by our evaluation instrument, need improvement. In 1996 we will be writing to the 27 institutions concerned to offer detailed comments on each particular plan. The following general comments, gleaned from our preliminary findings, are offered in a spirit of constructive criticism.

Our findings indicate that the differences between Part IV and Part VII of the Official Languages Act are still not clearly understood. As a result, we noted a tendency for institutions to take a minimalist, "shopping-list" approach to the planning exercise. Indeed, some institutions simply outlined a number of services and programs they currently offer in relation to two-language services to the public (Part IV) in the belief that such an approach will also satisfy the requirements of Section 41.

We found a tendency on the part of some institutions to approach the problem on the basis of a conclusion that the minority communities simply did not know about the programs already in place and that therein lies the problem — rather than on the basis of the identification and analysis of community needs.

With respect to the design of the plans themselves, we noted that many lacked the essential characteristics of a plan: specific objectives, adequate controls, measurable results and clear accountability.

We recognize that at this time our evaluation is summary and that most plans were prepared with the tools available. We hope to provide specific, constructive recommendations with the objective of improving the second and third generations of plans to come.

g) MERIT LIST

The Commissioner's role as ombudsman means that he is generally obliged to highlight deficiencies rather than things that are done properly. Clients who receive service in their language rarely mention the fact. Our study of points of service, published in 1995, confirmed that, despite major problems found in some regions, the availability of service in both official languages is far from negligible. This situation results from the ongoing contribution of a large number of persons whose merit we too often neglect to acknowledge.

Each year the Commissioner awards certificates to federal offices so as to pay tribute to employees and managers who serve the public well.

Since this program began in 1992 the Commissioner has awarded 25 certificates, to which seven were added in 1995. This year, for the first time, all five regions of Canada (Atlantic, Quebec, Ontario, Prairies and British Columbia) are represented among the offices selected. A great many offices were nominated; our selection was made on the basis of certain criteria, principally:

- a clear emphasis by all staff on the quality of services provided to members of the public in the official language of their choice, with active offer and a concern for responding courteously and promptly to clients in their own language;
- the importance assigned by managers to the objectives of the Official Languages Act, which they show by striving at all times to maintain adequate bilingual staff, judiciously allocated to meet requirements, and by informing their employees about the official languages program so that they can adopt a positive attitude to their linguistic obligations;
- a desire on the part of both managers and employees to make constant improvements by attempting to find innovative solutions to rectify such problems as may arise;

- the use of appropriate mechanisms to consult the official language minority communities so as to understand their needs, and a firm commitment to take them into account in delivering services;
- insofar as possible, representation of the country's principal regions among the offices selected by taking into account the often greater problems for offices located outside the principal bilingual regions and, hence, their additional merit.

Here is the list of offices selected in 1995, as well as a brief description of their special merits, linguistically speaking.

THE HOUSE OF GREEN GABLES

This historic house where Lucy Maude Montgomery, author of the celebrated novel from which the house takes its name, situates the childhood of her heroine is located in Prince Edward Island National Park. For some years now the employees of this classified site, for which the Department of Canadian Heritage is responsible, have provided visitors with excellent service in both official languages. Signage and documentation are in both languages and the staff make it clear that they speak English and French. The strong two-language capability — the two regular and 14 seasonal employees hired last summer were bilingual — testifies to the importance of the official languages to the staff of this regional office of Canadian Heritage.

THE GREATER MONTREAL PASSPORT OFFICES

These offices, located in Montreal, Saint-Laurent and Laval, provide the public with very good service in both official languages and have done so for many years.

Over 80% of the staff are bilingual and the provision of service in either official language (and often in other languages) has become second nature to the employees. Another point deserving mention — one that is uncommon in the federal Public Service in Quebec — is the participation of the two language groups: 15 of the 70 employees (21%) are English-speaking.

THE COMPETITION TRIBUNAL

The Competition Tribunal, located in the National Capital Region, is a specialized tribunal that hears applications concerning enforcement of Part VIII of the Competition Act, which is concerned with mergers, abuse of dominant position and refusal to deal. Established in the late 1980s, this agency discharges its responsibilities to the public very effectively. The staff are well informed about their linguistic obligations, reception is in both languages and communications with the public are always in the language preferred by the client. All the employees are bilingual, with the superior level of proficiency, which enables the Competition Tribunal to provide the public with service of outstanding quality.

BELLEVUE HOUSE

Bellevue House, the former home of Sir John A. Macdonald in Kingston, Ontario, is one of the historic sites administered by the Department of Canadian Heritage. As at Green Gables, those in charge of the site are aware of the importance of presenting the riches of Canada's heritage to visitors in both official languages. Signage and documentation are bilingual and the staff spontaneously offer service in both languages. The two-language capability is good: four of the seven regular employees and six of the nine employees hired for the 1995 summer season speak both English and French.

CLIENT SERVICE, WINNIPEG TAXATION OFFICE

By virtue of its nature, this office, attached to the Department of Revenue, has a very large number of contacts with the public. During our recent visits we noted that managers took praiseworthy initiatives in organizing services so as to improve their linguistic quality. They accordingly ensured that the three reception officers recently hired for the main counter were bilingual. These officers greet the public in both official languages, answer routine questions and provide the required documents in the language preferred by the client. If necessary, they direct clients to a specialized officer, always taking their linguistic preference into account.

CLIENT SERVICE, SASKATOON TAXATION OFFICE

This office stood out for the innovative measures it adopted to improve its service to the public in both languages. It increased its two-language capability in reception and ensured that the greeting is always in both English and French. As a reminder and a way of increasing awareness, the managers asked bilingual employees to evaluate their own performance with regard to service in both official languages. They also notified their Francophone clients that the office is able to serve them in French, in particular by publishing advertisements in the French-language weekly *L'Eau vive*.

OFFICE OF REVENUE CANADA IN VANCOUVER

The importance that the senior management of Revenue Canada attaches to the official languages is clear and its impact can be felt all across Canada. The Vancouver office has for some years been a model for the active offer of service by telephone and in person. Signage and documentation are bilingual and there are enough employees who speak both languages to meet requirements. The Department also makes a point of regularly consulting the Franco-Columbian community in order to fully understand its needs. The quality of service is such that this office was the subject of a laudatory article in *Le Soleil de Colombie*.

The Commissioner is pleased to pay tribute to the employees and managers of these offices whose continual efforts to provide good service in both languages testify to their sensitivity to the two linguistic groups. Their enthusiasm and dedication bring to life the principle of respect for their fellow citizens, which is the very basis of the official languages program. The Commissioner wishes to congratulate them on their achievements and encourages them to continue their excellent work.

2. CENTRAL AGENCIES

THREE COMPLEMENTARY ELEMENTS

The federal government's internal policies and programs have essentially three complementary elements: service to the public in both languages, where numbers and circumstances warrant; the right of employees to work in the official language of their choice in certain designated regions; and the equitable participation of English-speaking and French-speaking Canadians in federal agencies. These three pillars are buttressed by support measures (a description of which is found in Chapter III.2a), including translation and language training.

As for external policies and programs, their aim is on the one hand to enhance the vitality and development of the minority communities and on the other to help promote the official languages in Canadian society in general. These are discussed in Chapter III.2b). The administration of justice in both languages, as required, constitutes another important foundation of the edifice.

These different fields should be, and generally are, priority areas for the activities of the central agencies. The Privy Council, the Treasury Board, the Public Service Commission and the departments of Canadian Heritage and Justice, as well as Public Works and Government Services Canada, must, in many respects, serve as the real engines of the Official Languages Program.

a) THE FEDERAL ADMINISTRATION

THE TREASURY BOARD

In 1995 the Treasury Board replaced its method of collecting data on the official languages in the Public Service. The figures that we present this year cover 200,000 public servants, while the total number of employees is estimated at 204,000. We have no information on the language requirements of the positions of 7,200 employees or on the first official language of 2,950 others, and no indication of the regions in which 9,800 employees work.

During the year the Treasury Board held a series of activities to follow up constructively on the study of points of service the Commissioner had conducted in 1994 and on the regional visits which it had itself made at that time.

- In March federal institutions were invited to update the list of their two-language points of service in order to correct errors and take into account the most recent provisions of the official languages regulations. This

new list was provided to the minority associations and will later be published.

- Also in March, the Treasury Board Secretariat asked federal institutions to review the application of the regulations at each of their points of service and to submit, by September 30, 1995, a report on the situation and an action plan on the corrective measures required. The institutions must implement their plans and report periodically on the changes made. These measures, combined with the development of service standards, should result in improvement at points of service that are deficient. The President of the Treasury Board will report to the Standing Joint Committee on Official Languages on the measures taken.
- In addition, in order to discuss implementation of the regulations with the managers of designated two-language offices and make them aware of their obligations — including those relating to active offer — the Treasury Board held a series of regional workshops in which over 1,200 employees in seven provinces and the two territories participated. It will hold them in the other provinces early in 1996.

The Treasury Board developed a language policy on use of the information highway, which it published in July in the *Guide to Internet Use in the Federal Government*, intended for the institutions for which it is the employer, whereas its responsibility for official languages extends to all federal institutions. This policy was only later circulated to Crown corporations. We hope that the next version of this reference work finds its place in the Treasury Board manual on official languages, which has the advantage of being addressed to all the institutions required to comply with the Official Languages Act.

Rights and obligations in black and white

The brochure “English and French in the Workplace — What Federal Employees Need to Know” was published in June. The result of the joint efforts of the Treasury Board and the Office of the Commissioner of Official Languages, this brochure contains the basic information that should enable managers and employees to know their rights with regard to language of work and to respect their obligations to the public.

Subsequent to the studies the Office of the Commissioner had conducted in 1994 on language of work in the National Capital Region (NCR) and in keeping with its own priorities for 1995, the Treasury Board invited the managers of all federal institutions to implement our recommendations, not only in the NCR but also in the other designated bilingual regions.

It will be recalled that in 1988 the Treasury Board decided that as of March 31, 1998, all incumbents of bilingual positions in the Executive category in regions designated as bilingual for language of work purposes should have level C in reading and oral comprehension and level B in writing. As this Report is published there are still some two years before the deadline. However, as of March 31, 1995, only 56.8% of these employees (997 out of 1,755) had achieved the desired profile. The Treasury Board, aware of the slow progress, reminded the departments that "increased efforts must therefore be made" to achieve this objective.

LANGUAGE REQUIREMENTS

What goes up must come down?

The year 1995 marked the first stage of measures to reduce the size of the Public Service, which lost approximately 11,000 employees in one year. Linguistically, the abolition of positions seems to have had two opposite effects, in terms of percentages: a reduction in "English essential" positions and an increase in bilingual positions, as shown in Table III.9. Early retirement departures were a factor in this reversal of trends because the age groups involved included a larger proportion of unilingual Anglophones.

Table III.9
Language requirements of positions, 1991-95

Positions	1991	1992	1993	1994	1995
Bilingual	62,333 29.4%	63,829 29.5%	64,001 29.3%	60,959 28.8%	60,605 30.3%
English essential	124,579 58.8%	127,889 59.0%	129,606 59.4%	126,815 60.0%	110,928 55.5%
French essential	13,528 6.4%	13,527 6.2%	13,611 6.2%	13,764 6.5%	12,691 6.3%
Either / or	11,339 5.4%	11,443 5.3%	11,131 5.1%	9,992 4.7%	8,608 4.3%
TOTAL	211,779	216,688	218,349	211,530	200,017*

* We have no information on the language requirements of the positions of 7,185 employees (3.6%).

Source: Treasury Board.

BILINGUAL POSITIONS

After remaining stationary at around 28%-29% between 1984 and 1991 the percentage of bilingual positions had begun to decline slightly, starting in 1992. This decline was associated with a decrease in the percentage of appointments to bilingual positions: 29.3% in 1992-93; 21.6% in 1993-94; and 18.2% in 1994-95, which suggested that this decline would continue. The many departures have reversed this trend. However, since the new Treasury Board information system is not yet able to provide information on the language requirements of the positions of over 7,000 public servants, the picture is not quite complete.

History bears us out

Locally, the impact of these changes varies. We note a certain decrease in the percentage of bilingual positions in Quebec (which is in the direction that we have been advocating for a number of years); the situation is unchanged in the West, while the percentages are increasing slightly in Ontario and the East in general, but especially in New Brunswick and the NCR. Despite these fluctuations bilingual positions remain heavily concentrated in the regions of Canada where there is a significant proportion of the minority linguistic group.

IMPERATIVE AND NON-IMPERATIVE STAFFING

One of the unique features of the Public Service's system of bilingual positions is its twofold method of staffing, "imperative" and "non-imperative". In the first case candidates must already have the required language skills for the position sought when they apply for the competition. In terms of bilingual positions imperative staffing accounted for 50.6% of appointments in 1982 and 87.5% in 1994-95; in terms of all appointments, the figures were 10% in 1982 and 16% in 1994-95.

PART III

Table III.10

The official language populations (1991) and Public Service¹ populations and bilingual positions, 1995

	TOTAL population	Minority official language population		TOTAL public servants	Minority official language public servants		Bilingual positions	
British Columbia	3,247,505	49,540	1.5%	17,770	274	1.5%	447	2.5%
Alberta	2,519,185	53,280	2.1%	12,324	292	2.4%	493	4.0%
Saskatchewan	976,040	19,805	2.0%	5,165	58	1.1%	179	3.5%
Manitoba	1,079,390	47,800	4.4%	8,224	286	3.5%	533	6.5%
WEST	7,822,120	170,425	2.2%	43,482	1,100	2.5%	1,652	3.8%
Ontario (excluding the National Capital Region)	9,290,270	376,825	4.1%	30,202	1,464	4.8%	2,678	8.9%
National Capital Region	912,095	321,930 ²	35.3%	61,361	23,236	37.9%	35,704	58.2%
Quebec (excluding the National Capital Region)	6,584,985	869,060	13.2%	27,074	1,342	5.0%	13,806	51.0%
New Brunswick	716,495	242,630	33.9%	6,833	2,248	32.9%	2,717	39.8%
Nova Scotia	890,950	35,885	4.0%	11,292	416	3.7%	827	7.3%
Prince Edward Island	128,100	5,280	4.1%	2,382	168	7.1%	455	19.1%
Newfoundland	563,935	2,680	0.5%	5,243	22	0.4%	71	1.4%
EAST	2,299,480	286,475	12.5%	25,750	2,854	11.1%	4,070	15.8%
Yukon and Northwest Territories	85,085	2,200	2.6%	1,234	34	2.8%	31	2.5%

¹ Does not include Crown corporations, the Canadian Forces, etc.

² Francophones.

Note: We have no information on the first official language of 2,950 employees or on the regions in which 9,771 of them work.

Sources: First Official Language Spoken: 1991 census, Statistics Canada; Treasury Board, September 1995.

Unilingual employees in the Public Service

Non-imperative staffing, which was introduced in 1973, enables unilingual candidates to apply for a great many positions in the Public Service, since to apply for a bilingual position they need only demonstrate that they have the required non-linguistic skills. If unilingual candidates are prepared to learn their second official language and have the capacity, language training will be provided to them without charge and they will fill their new position after passing the Second Language Evaluation (SLE) at the required level. The above figures show that unilingual employees have wide access to the Public Service.

LEVELS OF PROFICIENCY OF BILINGUAL POSITIONS

The absolute numbers may fluctuate from year to year but, as Table III.11 shows, the trends in terms of percentages remain constant.

It is of some interest, after approximately 10 years, to recall one of the recommendations contained in our 1986 Annual Report:

We strongly recommend a steady upward pressure on second-language proficiency levels. Details will have to be worked out, but, purely by way of illustration, we might aim for a drastic reduction of the proportion of bilingual positions at the elementary level A by 1990-91

Table III.11
Bilingual positions: Levels required, 1991-95

	1991	1992	1993	1994	1995
Elementary (A)	3,068 4.9%	2,704 4.2%	2,336 3.6%	2,105 3.5%	1,849 3.0%
Intermediate (B)	47,739 76.6%	48,699 76.3%	48,566 75.9%	45,947 75.4%	44,674 73.7%
Superior (C)	9,241 14.8%	10,174 15.9%	10,820 16.9%	10,702 17.6%	10,468 17.3%
Other	2,282 3.7%	2,252 3.6%	2,279 3.6%	2,205 3.6%	3,614 6.0%
TOTAL	62,330	63,829	64,001	60,959	60,605

Source: Treasury Board.

and an overall target of 35 or 40 per cent at the advanced level C by 1992-93, the latter to include at least 50 or 60 per cent of the Management category (p. 28).

What, then, is the situation 10 years later? It can be said that the "drastic reduction" of level A positions has indeed occurred since the percentage of such positions fell by approximately half from 1986 to 1991, from 10% to 5%. This drop has continued since, but at a slower pace. The percentage of level C positions has indeed increased, from 9.3% in 1986 to 14.8% in 1991 and 17.3% in 1995, but we are still a long way from the 35% to 40% cited in the recommendation. This is not for lack of a large pool of qualified candidates: approximately 54% of the incumbents of bilingual positions have level C or, still better, an exemption.

Greater proficiency at the top of the pyramid

For the Executive category the situation appears far more favourable since over 43% of bilingual positions are now at level C — an increase of nearly 100% since 1986. This proportion will continue to rise since in 1998 nearly all the incumbents of bilingual positions in this category are supposed to have level C in oral comprehension.

The more technical, the less proficient

What is to be said, however, about bilingual positions in two categories, Scientific and Professional and Administrative and Foreign Service, for example? Even in 1995 we still find that only 12% and 22% respectively of the positions are at level C. Considering that the tasks to be performed at level C include "giving and understanding explanations and descriptions which may involve complicated details...counselling and giving advice to employees or clients...discussing or explaining policies, procedures, regulations...supporting opinions, defending a point of view...",¹ are we not entitled to ask why, in sectors of the Public Service where tasks of this kind are so prevalent, the percentages of positions at level C are so small?

1. Description of Second Official Language Proficiency Levels — Oral interaction, level C — "Determining the linguistic profile for bilingual positions" — Public Service Commission.

While one of the purposes of Section 91 of the Official Languages Act is to prevent the unwarranted creation of bilingual positions, it should not be forgotten that it is equally intended to ensure that bilingual positions have an adequate linguistic profile, taking into account the complexity of the tasks to be performed.

LANGUAGE TRAINING

A drop in the ocean of training

In discussing this topic it may be of interest to note that the clientele for language training represents only a fraction of that for professional training. Over a 12-month period the Public Service Commission accepted 4,550 students in language training compared with 21,800 in professional training. It is estimated that in the entire Public Service language training involves 7,000 employees annually compared with 175,000 in professional training.

The clientele of Language Training Canada (LTC) decreased again this year, from 5,800 to 4,550,² which is a drop of 22%. This decrease is due in part to a drop in appointments to bilingual positions but mainly to a change of direction in the Public Service. The changes that departments are currently undergoing are causing them to review the very conditions of training. Relatively long periods of absence from work are gradually giving way to more flexible training based more on individual work and the use of modern techniques. Recent LTC initiatives show that it is adapting little by little to these changes: greater administrative and pedagogical flexibility; adapted programs, based on language of work; greater resort to computer-assisted self-learning; experiments in distance teaching, etc.

LANGUAGE EVALUATION

The overall Second Language Evaluation success rate continues to be respectable for reading and writing (between 80% and 91%) but is much lower for oral interaction (only 70%) and particularly for level C (64% for employees in the Administrative Support category and 38% for those in the Executive category).

The changes that the Public Service Commission made to the SLE system in April 1993 extended the validity period of the tests to five years and made it possible to obtain an

exemption from future evaluation for the writing test. This reform, coupled with greater use of telephone evaluation and a reduction in the staffing of bilingual positions, resulted in a considerable drop in the number of SLEs administered: 48% between 1992-93 and 1993-94 and 42% in the following year. Savings naturally followed: 37% and 52%, respectively.

We are pleased with these reductions, of course, and we hope that they will serve as a model and inspiration to other sectors. We wonder, however, about the long-term impact of the lessening of controls, especially for positions whose incumbents use their second language to only a moderate extent. The Public Service Commission will have to monitor the situation closely in order to prevent slippage.

BILINGUALISM BONUS

Additional costs

Last year the Federal Court of Appeal, in the *Gingras* case, decided to award the bonus to members of the Royal Canadian Mounted Police, who are not members of the Public Service. The budget for the bonus for 1994-95 was therefore increased by some \$33 million for retroactive payments. When these payments have been made the cost of the bilingualism bonus for the approximately 2,500 officers who meet the language requirements of their position will be some \$3 million a year.

It is far from certain that Horace's aphorism "Bis repetita placent"³ applies to the Commissioner's exhortations regarding the gradual elimination of the bonus, particularly considering that the first criticisms from this Office date back to 1977, the very year the bilingualism bonus was created. It is still important, in our opinion, to review the system, emphasizing co-ordination with the unions involved and the insertion of a gradual withdrawal clause.

TRANSLATION

For the Translation Bureau the year was marked by a major event: it became a special operating agency (SOA) on April 1, 1995. Its new status makes it unique in having joint funding: Parliamentary services, terminology and interpretation are free of charge to users, while — in a fundamental change — translation and the other linguistic services are now paid for by the clients themselves. Thus, while remaining the only *federal* supplier of translation, the Bureau is now in

2. Between the periods October 1993 to September 1994 and October 1994 to September 1995.

3 "Repetition pleases".

competition with private sector translation firms. To assist departments in dealing with this commercial turnaround, the Treasury Board published a "User's Guide for Translation Services" in March.

In recent years the number of words translated has varied little (about 295 million a year) but, after falling to 280 million in 1993-94, the figure climbed to 328 million in 1994-95 as departments hastened to have documents translated "for free" before the SOA system came into force.

The Translation Bureau's research projects and other terminological activities, in addition to providing valuable assistance to Canadian translators, interpreters and public servants, continue to place Canada among the world's leaders in language industries. In particular, its terminology bank on CD-ROM, *Termium*, is a model of its kind.

To lose no time in ensuring that the transformation of the Translation Bureau into an SOA does not result in any slippage in terms of quality, the Office of the Commissioner will monitor the situation in the months to come, paying particular attention to any trend which might be evident from complaints which may be received.

COSTS

To provide services in both languages where numbers warrant, federal institutions (departments, agencies, Crown corporations, the RCMP, Canadian Forces and Parliament, i.e., some 430,000 persons serving all Canadians) spent \$319 million in 1994-95. This increase was due mainly to the retroactive payment of the bilingualism bonus to the RCMP. Once this expenditure is made, the budget forecast for 1995-96 will return to the level of two years ago. Moreover, this budget is characterized by a significant reduction in administration costs and by a transfer of Translation Bureau expenditures to the institutions (see "Translation" above).

This year we have more precisely identified the costs of federal services in the two languages (Tables III.12 and III.13) and the other expenditures, mainly those made by Canadian Heritage to assist provincial departments of education. These are to be found in Chapter III.2b.

Table III.12
Cost of federal services in both official languages:
Expenditures by function, 1994-95 and 1995-96

Function	1994-95		1995-96	
	Actual expenditures \$000s	%	Anticipated expenditures \$000s	%
Translation-Interpretation				
• Translation Bureau	94,700		29,400	
• Other suppliers ¹	32,900		101,900	
TOTAL	127,600	40.0%	131,300	46.2%
Language training				
• Public Service	26,200		24,700	
• Other suppliers ¹	45,800		44,200	
TOTAL	72,000	22.6%	68,900	24.2%
Bilingualism bonus	86,600	27.2%	55,900	19.7%
Administration costs				
• Treasury Board	4,200		3,100	
• Public Service	1,400		1,300	
• Other institutions ²	26,900		23,800	
TOTAL	32,500	10.2%	28,200	9.9%
TOTAL	318,700		284,300	

1. Private sector firms.

2. Parliamentary institutions, Canadian Forces, RCMP, Crown corporations.

Source: Treasury Board.

Table III.13

Cost of federal services in both official languages: Budget and personnel

	1994-95 Actual expenditures \$000s	 Personnel	1995-96 Anticipated expenditures \$000s	 Personnel
Treasury Board				
• Official Languages	4,200	40	3,100	38
Public Service Commission				
• Language Training	26,219	413	24,697	379
• Administration and other activities	1,381	22	1,312	21
Public Works and Government Services				
• Translation Bureau	94,679	1,156	29,424	1,150
Other departments and agencies	131,974	404	161,582	330
Parliamentary institutions	1,300	9	948	8
Canadian Forces	38,300	462	44,120	428
Crown corporations	20,627	n.a.	19,100	n.a.
TOTAL	318,680	2,506	284,283	2,354

n.a. Information not available.

Source: Treasury Board.

To obtain the actual expenditures in previous years readers are invited to contact the Treasury Board.

b) DEPARTMENT OF CANADIAN HERITAGE

The Department of Canadian Heritage continued this year to pursue the major change of direction that it had embarked on approximately two years ago. With the end of the transition period the path to the future is clearer and the ways to reach it better defined. The reduction of the Department's budgets for carrying out its mission in the area of official languages was, however, a significant factor.

Canadian Heritage's budget for support to the official language minority communities and linguistic duality has been reduced over the past three years. The federal budget of February 1995 did not reverse this trend, imposing additional cuts of 3% to 5% on the Department's various official languages programs. Thus, simply as an example, the "support to official language minority communities" component will see its budget reduced from \$24.3 million in 1994-95 to \$19.6 million in 1997-98.

Meanwhile, the communities and the provincial and territorial governments were seeking more manoeuvrability in the way in which they use the funds provided. The communities in particular, which have in recent years given much thought to their development and future, wished to be freer to manage their community projects — without a reduction in their financial resources.

The Department reacted to these budget cuts and to the wishes expressed by the communities in two ways: it pursued co-ordination of the implementation of Sections 41 and 42 of the Official Languages Act, and it refined and systematized the use of a novel development tool, the Canada-Community agreement.

In August 1994 the government of Canada had put in place an "accountability framework" to support the implementation of Sections 41 and 42. The Department is co-ordinating this ambitious effort, which involves the entire federal administration and in particular 27 key departments and agencies. It conducted many activities whose primary objective was to make the federal Public Service aware of the importance of Part VII (including Sections 41 and 42) of the Act.

Before the end of the year the Department had received the action plans of each of the federal institutions in question. It had not, however, undertaken to analyse them. The Commissioner, believing in the necessity of analysis, developed a model and, using it, began to evaluate the plans. (The model had been tested with two control groups and the comments of a small selection of sectoral organizations and interested communities had been solicited.)

Canadian Heritage cites a long list of achievements by various federal departments that benefit the official language minority communities. These activities range from the holding of a Semaine nationale de la francophonie to the construction of a new School of Law at the University of Moncton and include initiatives affecting the employability of young Anglophones in Quebec and information sessions for elderly Francophones in Saskatchewan.

These efforts are real. We hope, however, that this mix of initiatives comes to form part of a coherent vision — particularly one that is shared by federal institutions in general — for the development of the official language communities.

CANADA-COMMUNITY AGREEMENTS

A Canada-Community agreement is concluded between the Department of Canadian Heritage and one or more organizations representing a provincial/territorial community. It gives the community additional responsibility, since its representatives must decide among themselves on their development priorities and on the allocation of the resources provided to them by the Department instead, as previously, of leaving this to be determined by the Department. The allocation of funds by Canadian Heritage for a period of several years enables the community to plan its activities more effectively.

The first Canada-Community agreement was concluded in 1988 with the Fransaskois. For a long time it remained the only one of its kind. Then, in 1994, the Department concluded agreements with Francophones in Manitoba and Alberta. In 1995 there was a spate of new agreements: Nova Scotia on August 24; Newfoundland on October 24; the Northwest Territories on November 4; Quebec on November 19. By year's end the communities in Yukon, New Brunswick and Prince Edward Island were about to sign agreements. Francophones in Ontario and British Columbia were also in negotiation.

We are following with interest the implementation of all these agreements.

COMMUNITY SUPPORT

The Department pursued or resumed its usual activities in support of the official language communities and the promotion of linguistic duality and had several notable achievements.

- The third edition of the "Write It Up!" contest was a great success. Over 4,200 young Canadians from every province and territory wrote letters to the Prime Minister about their attachment to linguistic duality.
- The Department of Canadian Heritage gave financial support to "Dictée P.G.-L.", which is named for the first Quebec Minister of Education, Paul Gérin-Lajoie, and is supervised by him. This program includes a series of activities that culminate in an international dictation contest. The second "Dictée des Amériques", which is always very popular, was also supported by the Department.
- The Semaine nationale de la francophonie is becoming a major event and a celebration of Canada's Franco-phone community. The Department takes an active part in it.
- The Department also supports the minority media. Each province and territory has at least one minority language weekly newspaper and some have more than one. Franco-Ontarians have 13 weeklies and Quebec Anglophones have 21 weeklies or semi-monthlies published in English or in both languages. These minority media are grouped in two organizations, the Association de la presse francophone and the Quebec Community Newspaper Association, which receive assistance from the Department of Canadian Heritage. It should be noted, however, that a number of these newspapers are experiencing financial difficulties. The Commissioner is concerned about their problems because of their importance to their communities.

EDUCATION

The issue of the right to school management, despite recent progress, is still a live one.

The Department has given assurances to Francophone parents in British Columbia that the funds set aside to implement school management are still available. In the parents' view the school authority proposed by the provincial government does not meet the requirements of Section 23 of the Canadian Charter of Rights and Freedoms. The issue is before the courts and the Commissioner has been granted intervenor status.

The Department and Alberta negotiated an amendment to their 1993 special agreement on school management. It allows for the allocation of additional funds for the construction or renovation of schools.

On October 23 the Department and Nova Scotia concluded a special agreement on school management. The federal government will provide \$3 million between 1995 and 1998 for the implementation of school management in the province. Between 1996 and 2001 \$6 million will be provided for, in particular, the construction of a school and community centre in Sydney and the expansion of Le Carrefour du Grand-Havre in Dartmouth.

The Department has given financial assistance for construction of the new École Émilie-Tremblay in Whitehorse, Yukon.

In 1995 progress continued to be made in the area of post-secondary education for the Francophone communities. The new School of Law of the University of Moncton was inaugurated on November 5. The same university's School of Electrical Engineering is under construction. Université Sainte-Anne inaugurated its new building in August. Two new community colleges opened in Ontario. Initiatives that increase opportunities for post-secondary education in French in western Canada should also be noted.

COMMUNICATIONS

There was an important event in the field of communications this year. Breaking with its former practice, the Department thought it useful to conduct a campaign to promote linguistic duality. It did so through various partners to whom it gave \$975,000 to finance the three components of the campaign:

- in the fall the Fédération des communautés francophones et acadienne du Canada conducted a radio, television and press campaign about contributions made by the Francophone minority communities to Canada's history, economy and general vitality;
- Alliance Quebec broadcast radio messages throughout Canada;
- Canadian Parents for French conducted a local campaign, including a major distribution of promotional material on *Learning English and French opens doors to tomorrow/Apprendre le français et l'anglais pour un avenir meilleur*.

The Department also pursued its more traditional communications and promotional activities on linguistic duality, in particular by the distribution of a great many printed documents.

RESEARCH

Research on the official language communities and linguistic duality saw some renewal at Canadian Heritage this year. New projects were launched and old ones actively pursued.

- A pilot study was undertaken in Prince Edward Island and the Gaspé of the social and economic dynamism of minority communities.
- An international official languages promotion strategy is being developed.
- The Department organized a meeting with community representatives to gain a better understanding of the impact of the electronic highway — and particularly of the Internet — on the vitality of Canada's Francophone communities.
- A colloquium held in Ottawa on *Official Languages and the Economy: New Canadian Perspectives* brought together a great many specialists and public servants. We await with interest the publication of the proceedings of this colloquium.

OFFICIAL LANGUAGE COMMUNITIES

1. RESPECTING RIGHTS, CONSOLIDATING GAINS

In 1995 the official language communities continued to strive to gain respect for their rights and to reinforce and in some cases protect their entitlements.

EDUCATION: MANAGEMENT AND EXCELLENCE

Progress continued to be made in school management, although the goal has not yet been achieved in three provinces and one territory and some problems persist in some of those where it has.

In Alberta, Saskatchewan and Manitoba school management has enabled French-speaking communities to take concrete action on projects and has produced generally satisfactory results, although the resolution of certain problems, especially in Manitoba, has not been easy.

Before the end of the year Nova Scotia tabled a bill to establish an Acadian Francophone school board for the whole province.

In Yukon the French-speaking community obtained a school board.

In Newfoundland, where a referendum by a modest margin favoured a restructuring of the school system, Francophone school governance was not clearly indicated as a component of such a package and at year's end it seemed likely that the issue would be brought before the courts.

In Ontario, where as a result of an in-depth study conducted by a Royal Commission a provincial committee was expected to recommend that 15 Francophone school boards be established (instead of the current four), the government had not yet committed itself by the end of the year.

In British Columbia the provincial government established a Francophone school authority, a limited form of school governance which in the view of Francophone parents fell short of meeting the requirements of Section 23 of the Charter. They chose to participate in the process, but decided to leave their case (in which the Commissioner has intervenor status) pending before the courts and to keep open the option of reactivating it.

A similar situation exists in the Northwest Territories.

The English-speaking community in Quebec continues to anticipate the implementation of Bill 107 introducing linguistic school boards, which could help strengthen the Anglophone school system by reorganizing enrolment — currently divided into two denominational systems — and by rationalizing resources. The community is continuing its struggle for relaxation of the criteria for access to English-language schools.

Francization

In addition to the fight for school management, the efforts of Francophone parents are increasingly directed to ensuring that their children receive quality education. Various facets of this issue are being actively studied.

One of the most important is “francization”. This involves activities to enable younger children of French-speaking families to acquire a sufficient command of French to integrate harmoniously into the Francophone school system and to help older children or teenagers who are entitled to attend French schools to rediscover their linguistic roots.

To this end a “francization” kit, sponsored by the Commission nationale des parents francophones, was prepared by a Winnipeg team. It was very successful in Manitoba. At year's end the project received \$600,000 from the federal departments of Health and Canadian Heritage to aid in its realization; this is a little over half the total cost.

Post-secondary education

Post-secondary education has seen real but slow progress. For example, the Collège de l'Acadie opened a campus in Wellington, Prince Edward Island, enabling French-speaking citizens on the Island for the first time to receive their post-secondary education in French without leaving the province.

In New Brunswick the School of Law at the University of Moncton is now housed in brand-new premises. In Ontario the Boréal (northern Ontario) and Grands Lacs (south-central Ontario) community colleges have opened. The University of Ottawa has decided to offer a complete medical program in French. Although the community is not unanimous on the matter, pressure to establish a French-language university in Ontario is increasing.



Funding for the communities

A good part of the funding for associations and communities is provided through grants from the Department of Canadian Heritage. However, these have decreased in recent years. In the February 1995 budget the federal government announced an annual 3% cut over the next three years to allocations for the official language minority communities. This reduction is in addition to the 5% cut for 1995-96 and 1996-97 already imposed in the February 1994 budget. Total funding will be reduced from \$24.3 million in 1994-95 to \$19.6 million in 1997-98.

To cope with these problems, the communities have had to make adjustments on several levels:

- they are increasingly endeavouring to sign Canada-Community agreements with the Department of Canadian Heritage in order to be in a better position to determine their own development priorities;
- they are rationalizing their expenses and reorganizing their material and human resources;
- they are diversifying their sources of funding by, for example, establishing a Fondation franco-albertaine;
- above all, they are exploring development prospects which could be made possible by the dynamic implementation of Sections 41 and 42 of the Official Languages Act, i.e., if all federal institutions begin to take into account the needs of the communities in relation to government policy development and implementation.

National unity

Throughout the year the national unity issue was a continual concern for community members and spokespersons. With few exceptions, the members of official language minority communities, both in Quebec and in the rest of Canada, entreated Quebecers to keep Canada together while recognizing Quebec as a distinct society within Confederation.

La Fédération des communautés francophones et acadienne du Canada (FCFAC) launched a major advertising campaign, particularly on television, to celebrate the contribution of Francophone communities to Canadian diversity. During this campaign the Fransaskois singing group Hart Rouge represented the FCFAC in both French and English.

Towards the end of October an important meeting of Francophones was held in Ottawa, Moncton and Winnipeg, during which the three cities were linked by satellite. Demonstrating their attachment to Canada, the Francophones rejected suggestions that they would disappear.

Tools for the future

The minority communities continued to reflect on their future and to pursue their planning. Many projects are progressing well and priorities are better identified. For example, the Yukon Francophone community prepared a 1995-2000 Development Plan, the goal of which neatly sums up the spirit of the minority communities as a whole: "Our vision is to improve the quality of life in French for all French-speaking Canadians living in Yukon and all others interested in helping enhance the vitality of French in Yukon. This contribution will be made in co-operation with the governments, the private sector and Francophone and Yukon community organizations."

The trend towards delegation of federal authority to provinces and municipalities, or of certain activities to the private sector, does not leave the communities indifferent. They hope that language provisions will accompany such delegation of authority in all cases so that their acquired rights will be respected by the new authorities responsible for policies or activities.

This focus on the future requires modern tools. In 1995 Francophone communities were very interested in the information highway. They held meetings to ensure that French was not neglected on the Internet and other electronic highways. The University of Moncton, in particular, undertook valuable initiatives in this regard.

Vocational training is essential to the economic development of the communities. For English-speaking people in Quebec and for French-speaking minority communities across Canada, access to a complete range of vocational training courses in their own language was a constant theme. Franco-Ontarians in particular have focused on this issue.

The media are also essential to the development of the official language communities. English-speaking Quebecers became more aware of this when *Spec*, the Gaspé English-speaking community's newspaper, found itself in financial difficulty. The problem was resolved through the intervention of the Quebec Community Newspapers Association. Nova Scotia's *Le Courrier* also went through a crisis that a Canada-Community agreement helped resolve for the time being. Towards the end of the year *Le Soleil de Colombie* had to deal with similar problems.

* Association Franco-Yukonnaise, *Plan de développement 1995-2000*.

Francophones across Canada were encouraged by the strengthening of their network of 25 community radio stations extending from Chéticamp, Nova Scotia, to Peace River, Alberta. The Commissioner undertook a second year of constructive co-operation with a number of these stations.

The ability of Francophone minority communities to receive the CBC's Réseau de l'information (RDI) is not yet as widespread as it should be. The Canadian Radio-Television and Telecommunications Commission had attempted to persuade the numerous cable operators (over 2,000) that it was appropriate to broadcast RDI nation-wide, but left them the choice. (The Commissioner had recommended mandatory broadcasting.) RDI is widely broadcast in Quebec and is available to 88% of Francophones in other regions, but there are considerable gaps.

To make RDI and "Newsworld" available across Canada, the CBC offers the future prospect of broadcasting via satellite programs which could then be received in every home by means of appropriate technology.

The only way social and health services can be provided while fully respecting Canadians is by making these services available to them in their first official language. To this end the Quebec's English-speaking community staunchly, but unsuccessfully, defended retaining the community role of the Jeffery Hale Hospital, which is the only hospital offering a wide range of services in English in Quebec City and for the entire eastern region of Quebec. The community in Montreal also reacted strongly — but just as unsuccessfully — to the Quebec government's decision to close a number of health care facilities. The availability of health professionals in Ontario who can serve the public in French continues to concern the Franco-Ontarian community, which was nevertheless encouraged by the University of Ottawa's decision to offer a complete medical program in French.

The communities were pleased with the reinstatement of the Court Challenges Program, now based in Winnipeg. The Commissioner had reacted strongly against its abolition and had produced a substantial report demonstrating the need for its continuance.

THE MINORITY COMMUNITY ASSOCIATIONS

The community associations continue to provide their members and communities with invaluable services in addition to representing them in relation to governments. The following examples are only a few of the activities of this lively, dynamic network.

Alliance Quebec, which is a staunch defender of its community's interests, devoted a good deal of its energy to the national unity issue. Through its president, Michael Hamelin,

AQ expressed the hope that all Quebecers would continue to work for the good of Quebec, regardless of their ethnic or linguistic origins. The community's sectoral and regional associations set up a liaison committee to study the community's priorities under a Canada-Community agreement.

The Townshippers' Association, which had organized an important meeting of community organizations with the Commissioner in the spring, chose Nancy Beattie as president, David Morgan's mandate having expired.

The Commissioner was invited to deliver a speech in New Richmond in the Gaspé at the annual general meeting of the Committee for Anglophone Social Action, and also addressed the Gaspé Chamber of Commerce.

Scott Buckle replaced Wilson Evans as president of the Coasters' Association on the Lower North Shore. The Commissioner has supported this community in its attempt to improve radio service.

The FCFAC elected Jacques Michaud as its new president. It continued to stress the importance of implementing Sections 41 and 42 of the Act, to promote national unity and to illustrate the contribution of Francophones to the richness of Canada.

The Association canadienne-française de l'Ontario moved its headquarters from Ottawa to Toronto. The Commissioner visited its new premises and worked closely with the new president, André Lalonde.

The Fédération des francophones de la Colombie-Britannique celebrated its 50th anniversary. The Commissioner was one of the distinguished speakers at the gala marking this event.

The Association canadienne-française de l'Alberta paid tribute to its outgoing president, Paul Denis, whose mandate expired in October and who was replaced by John Moreau.

Denis Magnan was succeeded by Michel Vézina as president of the Association culturelle franco-canadienne de la Saskatchewan.

The Société nationale de l'Acadie signed a special agreement with France.

Jean-Guy Dionne replaced Mireille Thomas as head of the Fédération des francophones de Terre-Neuve et du Labrador.

Robert Arsenault replaced Éloi Arsenault as president of the Société Saint-Thomas d'Aquin on Prince Edward Island.

Barbara Leblanc replaced Éloi Thibault as president of the Fédération acadienne de la Nouvelle-Écosse.

2. THE PROVINCES AND TERRITORIES

YUKON

Significant progress on school governance was made in Yukon in 1995. Following a referendum held on June 7 it was agreed that, as provided for in the 1990 Education Act, the Francophone school council would become the first French-language school board in Yukon. Its first five board members were elected in November 1995. In addition, École Émilie-Tremblay will be housed in a new building when school resumes in the fall of 1996. This new school, which can accommodate 200 pupils, is now located in the Granger neighbourhood in Whitehorse. The Commissioner had pointed out the unhealthiness of the building in his 1993 Annual Report and had intervened with the federal and territorial authorities concerned.

For the Association franco-yukonnaise (AFY) 1995 marked a turning point. The AFY signed a three-year contribution agreement with the Yukon government to support the development of the French-speaking community. The Association received \$14,400 from the Department of Economic Development to implement a development plan. The AFY also concluded an agreement with the Department of Canadian Heritage whereby it received \$250,000 for construction of the Petit cheval blanc daycare centre. These projects are being managed by the Bureau des parents franco-yukonnais (a group of parents associated with the AFY), the daycare centre and the Francophone school board. In addition, the AFY is negotiating a five-year Canada-Community agreement in which priorities will be based on the Yukon French-speaking community's 1995-2000 development plan. These negotiations are particularly concerned with the funding provided by the Department of Canadian Heritage for construction of an economic development, cultural and community centre. We also note the growing popularity of the *Annuaire des services en français 1994-1995*, published by the AFY.

Whitehorse General Hospital is offering new services in French. Signage, most forms and the information kit for new parents, for example, are now bilingual. In the legal sphere, Yukon's statutes and regulations and the *Yukon Gazette* are now available in both English and French.

The weekly CBC radio program "Rencontres" is becoming a favourite springboard to promote French-language songs. The TVA network is available from the Yukon cable service and Dawson now has access to channel 34, the French-language CBC service.

Culturally, the Semaine de la francophonie (French-speaking Week) was marked by the 13th Francofête, which attracted over 250 participants. The weekly column "Bon-

jour" in the *Yukon News* is reaching an ever-widening readership. The monthly *L'Aurore boréale* now has access to the Internet. This use of the new information technologies will no doubt enable *L'Aurore boréale* to become better known and to play an even more active role in Canada's French-speaking community.

Federal services

The Commissioner's survey of federal offices designated to serve the public in both official languages revealed shortcomings in Yukon. As well, the publication of the Treasury Board list of designated points of two-language service served as a catalyst for the minority community to check for itself the availability of service in French. This resulted in a number of complaints, with consequent upgrading of two-language service, and demonstrated a need for the publication by Treasury Board of a revised list of designated offices.

Canadian Heritage in Whitehorse now has one bilingual employee (level BBB) on staff and is providing language training for two others. The CBC office does not consistently provide active offer at the reception desk but is usually able to provide service in French. Revenue Canada now has employees who can speak French in its district office in Whitehorse.

Unfortunately, the unilingual nature of service at the new 911 emergency number continues to be a source of great concern for the French-speaking community and for the territorial government, which were led to believe that the RCMP would furnish this service in both official languages. The RCMP is still not providing consistent active offer at the telephone reception of its designated point of two-language service.

There are now two post office franchises designated for two-language service in Whitehorse, but not all postal services are available there, with the result that not all postal services are available in French. We have discussed this situation with both Canada Post and Treasury Board and asked that full services be made available in French in Whitehorse, preferably at one location.

Industry Canada has provided a grant which will assist the Association franco-yukonnaise in obtaining equipment to access the Internet.

Treasury Board conducted a workshop on active offer and two-language service in Whitehorse in November. This session was well attended and elicited a number of basic questions from departments which have generally been slow to address their linguistic obligations since the coming into effect of the official languages regulations in 1992.

NORTHWEST TERRITORIES

The major event of 1995 was the signing on November 4 of a Canada-Community agreement making possible the operation of the community's organizations and development projects through March 1999. The Department of Canadian Heritage also allocated \$230,000 for the Grand Nord project, submitted by the Fédération Franco-téNOise (FFT), the aim of which is to develop the community's financial self-sufficiency; more specifically, it will provide assistance to Boréal Consultants, to Azimut Communications, to the tourism development agency and to Les Éditions franco-ténoises to promote community development in communications, research, marketing and tourism.

A new Canada-Northwest Territories co-operation agreement on the French and Aboriginal languages was also signed in March 1995. The \$20 million contribution provided for in this agreement will be used mainly for instruction in the Territories' eight official languages and will make it possible to offer more services in French. A contribution agreement signed in June 1995 with the Department of Education, Culture and Employment of the Northwest Territories is concerned with the activities of the cultural and community development program for 1995-96 and includes funding of \$200,000, plus an additional \$7,000 to combat illiteracy.

With regard to school governance, Bill 25, the Northwest Territories Education Act, adopted on June 22, 1995, and scheduled to come into force on July 1, 1996, guarantees parents some right to the management and control of French schools. Accordingly, the Conseil scolaire francophone de Yellowknife was created and manages École Allain-Saint-Cyr. Members were elected on September 19. The Comité des parents francophones d'Iqaluit submitted a request to the Department of Education in July for status as a conseil scolaire. Since such status was granted in September, French-speaking parents in the Northwest Territories will now be able to ask for their own French-language commission scolaire, as provided for in the Education Act: "Where two or more *conseils scolaires francophones* exist, the *conseils* may, on meeting the requirements of the regulations, request the Minister to establish a *commission scolaire francophone de division*."

If it does not obtain this commission scolaire the FFT plans to go to court, since the Act says nothing about how rights holders can exercise their right to manage their schools. In a letter to the president of the Association des parents francophones de Yellowknife the Commissioner expressed his regret that the territorial government is still not complying with Section 23 of the Canadian Charter of Rights and Freedoms. The Commissioner also indicated his intention to ask, if necessary, for intervenor status before the courts.

A brochure was published to facilitate implementation of the Northwest Territories Official Languages Act and to explain laws concerning languages in the Northwest Territories. In co-operation with Betty Harnum, the territorial Commissioner of Official Languages, a publication entitled "The Languages of Our Land" was prepared by the official languages unit of the Department of Executive and the Department of Justice. The brochure summarizes the legal status of the eight official languages, the nature of the rights guaranteed by the Northwest Territories Official Languages Act and the role and responsibilities of the Commissioner. In her third annual report Ms. Harnum, whose mandate was drawing to a close, criticized the territorial government for its slowness in publishing the official languages manual and the guidelines required to implement the Official Languages Act of the Northwest Territories.

In the health field, we note that Stanton Hospital in Yellowknife provides services in the official languages of the Territories, including French.

Radio station CKLB, at 101.9 FM, broadcasts "À propos d'autre chose", a weekly one-hour program. CFRT-FM, the only French-language station in the Baffin region, broadcasts for up to 15 hours a week. The Association francophone de Fort Smith has convinced the local cable operator to offer the signal of the CBC French-language station, CBUFT. The FFT submitted a Réseau-FFT project, under Industry Canada's Community Access Program, to improve access to the Internet for the French-speaking community of the Northwest Territories.

On November 4, 1995, the Member of Parliament for the Western Arctic and Secretary of State for Training and Youth, Ethel Blondin-Andrew, officially announced the signing of an agreement between the government of Canada and the French-speaking community of the Northwest Territories. This \$1.96 million agreement will help to fund the programs and operations of French-speaking agencies and community development projects. The agreement, which was signed by Michel Dupuy, then Minister of Canadian Heritage, Ms. Blondin-Andrew and Daniel Cuerrier, president of the Fédération franco-téNOise, covers a four-year period, from April 1, 1995, to March 31, 1999.

Federal services

Pursuant to a complaint against Canadian Heritage regarding an insert promoting Canada Day in the English-language publication *News North*, we contacted the Department, which remedied the situation by placing an ad in *L'Aquilon*, the French-language newspaper in the Territories.

Canadian Forces Northern Area will add French-language plaques to monuments erected in memory of members of United Nations peacekeepers on the grounds of Northern Headquarters in Yellowknife.

Treasury Board conducted a workshop in Yellowknife on active offer and service in French. It was attended by 12 participants from 10 federal institutions. A number of questions were raised about the lack of bilingual personnel in Departments that had been slow in addressing their linguistic obligations.

BRITISH COLUMBIA

School governance is a major objective of the French-speaking community of British Columbia, and the Association des parents francophones de la Colombie-Britannique (APFCB) has taken the issue to court. The provincial government subsequently created a Francophone School Authority but gave it neither the power to tax nor a capital budget, and limited its mandate to the lower Fraser Valley and southern Vancouver Island, encompassing a school population of roughly 2,000 pupils in only 18 of the province's 75 school boards. (Doing this by the adoption of a regulation did not require amendment of the School Act.) This authority is not, however, in the view of the APFCB and in that of the Commissioner, consistent with Section 23 of the Canadian Charter of Rights and Freedoms.

While the APFCB believes that the proposal, accompanied by a budget of \$4.2 million for 1996-97, may be a preliminary step in the right direction, it does not constitute the establishment of true French-language school governance in British Columbia as required by Section 23 of the Charter. The complainants (parents) asked the court to hold the hearing of their application, which had been scheduled for the first week of December, in abeyance, but were prepared to reactivate it. The Commissioner, for the first time at the trial level, applied for and obtained intervenor status.

The Fédération des francophones de la Colombie-Britannique (FFCB) celebrated its 50th anniversary in 1995. The Commissioner participated in the ceremonies as a guest speaker. The FFCB, through the Commission sur l'avenir des francophones de la Colombie-Britannique, completed province-wide consultations to produce a development plan

for the French-speaking community. This plan, to be phased in by the year 2000, will help set the priorities to be included in a Canada-Community agreement. Six priorities emerged from the consultations: the creation of institutions, the training and management of human resources, the development of networks of solidarity, visibility, partnership and association, and pride and a sense of attachment.

With the assistance of Christine Aubin, who had conducted a study on the subject, the FFCB prepared a report on the delivery of services in French in the administration of criminal justice in British Columbia. The Commissioner refers to this document in his own report on the equitable use of English and French before the courts in Canada. The FFCB's research led to the preparation of a booklet on the subject. The FFCB also developed a list of some 5,000 Francophones among its members and, in co-operation with CBC radio, organized the fourth Gala de la chanson francophone de la Colombie-Britannique et du Yukon, a French-language songfest, in Vancouver.

Franco-Colombians expressed deep misgivings about the budget cuts to the CBC. The community, however, welcomed the decision by Shaw Cable and Rogers Cablesystems to broadcast the Réseau de l'information (RDI) on their basic service. RDI can now be received in Kamloops, Kelowna, Comox, Powell River, Nanaimo, Victoria and Vancouver. *Le Soleil de Colombie*, which experienced serious financial problems in 1995, had to cut several positions.

The theme of this year's Semaine de la francophonie (French-speaking Week), organized by the Consortium en éducation francophone de la Colombie-Britannique under the auspices of the Association canadienne d'éducation en langue française (ACELF), was "Le français, une richesse sans frontières." ("French, a boundless asset.") The consortium, which is made up of the APFCB, Éduca-centre, Le Théâtre la Seizième and the Conseil jeunesse de la Colombie-Britannique, seeks to improve the quality of the education provided in the core French program. Activities to mark the week included a film festival and the inauguration of the exhibition *Présence francophone en Colombie-Britannique de 1793 à 1953*. "Whenever anyone speaks French," said the president of ACELF, Louis-Gabriel Bordeleau, "the pride of all Francophones in Canada grows." (*Our translation*)

A French-language guide for Francophones newly arrived in the province was released during the sixth summer festival of the Centre culturel francophone de Vancouver. The 10th Vancouver French-language book fair was held at the offices of the Alliance française. This organization, which is one of the largest centres of French culture in the province, has a library of over 5,000 books in French.

Nineteen ninety-five marked the 200th anniversary of the arrival of the first French-Canadians in British Columbia. To commemorate this event the Centre francophone d'Alberni celebrated a French-speaking Week in March.

Federal services

The issuance of the Treasury Board list of designated points of two-language service was followed by the deposition of almost 100 founded complaints as the Fédération des francophones de la Colombie-Britannique decided to do its own survey of the level of service in French at designated federal offices in the province, in addition to the Commissioner's own study. As well as making evident many shortcomings, the survey found that a number of names, addresses and telephone numbers of departments had changed in the mean time. As a result of these complaints notable improvements have been made in service to the public at Agriculture and Agri-Food Canada in Victoria, at a number of Industry Canada offices and at the Farm Credit Corporation offices in Kelowna and Abbotsford, among others. Industry Canada has also created a new Official Languages Co-ordinator's position. Adequate two-language service is still, however, a challenge for some designated offices, such as the Employment Centre in Chilliwack and the Citizenship and Immigration office in Kelowna.

Revenue Canada was among the first departments in British Columbia to respond to the Commissioner's report on the availability and quality of service in French. Training sessions for staff on active offer and service in French, using an excellent video made by the Department for this purpose, were held in March. Revenue Canada also created and staffed a new position of Official Languages Co-ordinator for the entire department (Taxation, Customs and GST) and initiated a training program entitled "Retention", which consists of a one-hour weekly session to ensure that staff members are comfortable using the Department's technical terms in French.

At the end of October workshops on active offer and service in French organized by Treasury Board were well attended in Vancouver, Victoria and Kelowna. The questions asked by participants showed a range of familiarity with two-language service which varied from minimal to highly sophisticated.

Major preoccupations centred around being unable to create new bilingual positions in the current era of restrictions, finding employees with adequate abilities in French and keeping up the linguistic capacity of those employees who have attended language training.

A training session was held by our Edmonton Office for the Official Languages Co-ordinator of Canada Post's Pacific Region. The session focused on Part IV of the Act and the pertinent regulations. As well, a number of complaints against Canada Post in the Pacific Region were reviewed. As a result the Corporation has indicated that it will remind all postal outlets prior to the tax season to ensure that tax forms are available in both official languages. Furthermore, Canada Post is in the process of reinstating the two-language status of the postal outlet located in Field as a designated point of service in a national park.

Le Soleil de Colombie makes copies of its editions available to Air Canada for distribution on flights between Vancouver, Montreal and Paris.

Regrettably, those responsible for the organizing of Canada Day ceremonies in Vancouver did not recognize the importance of meeting their linguistic obligations. It is to be hoped that errors such as the inadequate information in French ads and the lack of any documentation in French at the July 1 ceremonies at Canada Place will not be repeated in 1996.

ALBERTA

Nineteen ninety-five marked the 90th anniversary of Alberta's entry into Confederation. It was also the 200th anniversary of the construction of Fort Edmonton, which gave its name to the capital. The Bicentenary Committee used the occasion to highlight the contribution of French-speaking Canadians to the economic and cultural development of Edmonton.

In education, the passage in 1994 of Bill 8, which amended the School Act and granted the French-speaking minority the right to manage its educational facilities, resulted in considerable progress. French-language school boards in Peace River, Plamondon/St.Paul/Medley and Edmonton/Legal, as well as co-ordinating committees in Lethbridge, Calgary and Fort McMurray, were established. St. Albert now has its own French school with approximately 55 pupils and the Lycée Louis-Pasteur in Calgary accommodates some 220 students.

Two new college-level programs in French — office management and business management — are now offered by the Faculté Saint-Jean of the University of Alberta, thanks to an agreement with the Centre éducatif communautaire de l'Alberta, the Northern Alberta Institute of Technology and the Collège de Rosemont in Quebec. The Faculté Saint-Jean also offers a summer seminar on Canada's French-speaking community, with the co-operation of the Association canadienne-française pour l'avancement des sciences.

School and community centres are proliferating. Plamondon was the first community in the province to have such a facility. The Centre scolaire et communautaire Boréal opened its doors in Fort McMurray in September 1995. In Calgary the Centre scolaire et communautaire launched a fund-raising campaign with the slogan "Mètre par mètre, nous serons maîtres" to raise the \$250,000 needed to purchase the land where the Cité des Rocheuses and École Sainte-Marguerite-Bourgeoys will be built. The centre will include a daycare facility, a theatre, a cafeteria and offices.

The Association canadienne-française de l'Alberta (ACFA) received a grant from the Department of Canadian Heritage for a community centre project in Edmonton known as La Cité francophone.

ACFA set up a Centre de développement musical francophone, administered by the Centre éducatif communautaire de l'Alberta, and its Comité santé carried out a study on the availability of health care in French and drew up a list of Francophone health care professionals in Alberta.

The appointment of Judge Mary Moreau to the Alberta Court of Queen's Bench was cited as significant progress for Francophones by the Association des juristes d'expression française de l'Alberta. In 1995 this very active association published five general information brochures in French. It offers training in French to jurists and a program for school children on judicial procedures.

The Peace River French-speaking community now has a community radio station which will broadcast 30 hours of local programming a week. ACFA also noted progress with regard to the Réseau de l'information (RDI): Calgary, Edmonton, Legal and Lethbridge now receive this network. Subscribers to Videotron in Edmonton, however, are still attempting to obtain the service. Bonnyville is experiencing problems in receiving station CHFA; ACFA is recommending the construction of an antenna to solve the problem. Some communities are still without TVA because of the reluctance of local cable operators to carry it.

In the context of the CBC budget cuts ACFA expressed grave misgivings about the future of regional French-language radio and television stations and productions. Regional production in Alberta amounts to only 26 minutes a day, five days a week. The CBC youth program "C\Qui? C: moi!", however, will again be broadcast, to the community's great satisfaction.

The weekly newspaper *Le Franco* is experiencing some financial difficulties. A reduction in revenue from national advertising appears to be one of the causes of the problem. *Le Franco*, the only French-language weekly in Alberta, has won several prizes from the Association de la presse francophone. In 1995 it was awarded the prize for general excellence in the André Paquette category (for newspapers

with a circulation of under 3,800 copies) as well as three additional prizes for excellence and two jury citations.

The 15th Canada Games, which opened on February 19, 1995, in Grande Prairie and Jasper, provided an opportunity to turn attention to the French-speaking communities of these regions. At the closing ceremonies Governor General Roméo LeBlanc saluted the courage and merit of those who preserve French in the Prairie provinces. It should also be noted that the first Jeux francophones de l'Ouest, held in Edmonton in the summer of 1995, brought together more than 3,000 athletes and were the largest French-language sports event in the history of western Canada.

Federal services

Assisted by our Edmonton office, the Jasper, Banff and Elk Island National Parks conducted training sessions on active offer and service to the public for all staff, both permanent and seasonal, who have direct contact with the public. In addition, training sessions on Sections 41 and 42 of the Official Languages Act were held for all supervisory and managerial staff in the region, including the National Parks and the Calgary Regional office of the Department of Canadian Heritage. The objectives of these sessions, which were co-ordinated in part by our staff, were to familiarize personnel with the Department's obligations to the official language minority community and to improve the quality of the region's action plan under Sections 41 and 42. Another session is planned for Edmonton.

Banff National Park generally provides fairly good two-language service, especially in the summertime, although problems continue to surface from time to time at the East Gate and the park was not in a position to distribute its main publication to tourists simultaneously in both official languages. *The Mountain Guide* was available in September whereas *Le Guide des montagnes* was not yet ready at that time.

Banff and Jasper National Parks have prepared excellent two-language information packages, complete with illustrations and graphics, for the World Wide Web. Within a few months of its availability some 400 users had accessed the French version.

Elk Island National Park has made a noticeable and much appreciated effort to improve active offer and service in French. Although the staff is hampered in this effort by a telephone system which does not allow the effective transfer of calls between points of service and by a shortage of bilingual staff, they should be commended for their initiative.

Complaints regarding Canada Post, Alberta Region, which in the past were investigated by its Edmonton office are now channelled to Winnipeg. It remains to be seen how

efficient this new structure will be. Commencing November 1 passport applications will no longer be available at postal outlets; it will be up to travel agencies to ensure the availability of such documents in both official languages. In the North the onus will be on the "Northern" stores, or applications will be available through a 1-800 number.

Following a complaint against the Edmonton International Airport Authority regarding an advertisement in the *Edmonton Journal* the Authority responded promptly by publishing a similar ad in *Le Franco*.

As a result of a complaint regarding the lack of service in French at the CBC radio building in Edmonton the Corporation developed procedures for offering service in French at the reception desk, including a new active offer sign. This complaint has given residents of Edmonton access to much better service.

Several workshops on active offer and service in French were held in Edmonton and Calgary by Treasury Board. Questions asked by participants focused mainly on the responsibility to provide services in both official languages at federal offices designated to do so under the regulations.

SASKATCHEWAN

Saskatchewan's French-speaking community has now managed its own schools for a year. The Saskatchewan School Act, passed on June 2, 1993, led to the creation in June 1994 of French school boards for Bellegarde, La Vieille, Prince Albert, Regina, Saskatoon and the Battlefords and for École Providence and École Saint-Isidore. École Ferland became the ninth school in the French-language system. Nearly all the schools now under the authority of the Conseil général des écoles fransaskoises have had to be refitted, enlarged or renovated. Two of them will have a school and community centre — École Monseigneur-de-Laval in Regina and École Valois in Prince Albert. In the preschool sector the Association provinciale des parents fransaskois (APPF) and the Association coopérative du préscolaire fransaskois (ACPF), which represent some 290 families and over 1,000 children, are calling for more kindergartens and schools.

Quebec signed a partnership agreement with Saskatchewan to develop an exchange and co-operation program in the field of education. This agreement will further instruction in French in Saskatchewan, notably through the attendance of French-speaking teachers at various conferences in Quebec.

Implementation of the second Canada-Community agreement provided funding for post-secondary programs such as that offered by the Institut de formation linguistique and increased funding for the translation of statutes.

Health services in French showed some progress. It is becoming increasingly common for the Saskatchewan Department of Health to issue various health publications of interest to the public in French.

Francophones in Saskatchewan take an interest in the information highway and have set up a Freenet for the province. Freenet is a powerful communications tool which will enable Francophones to have more contact among themselves and with fellow members of Canada's French-speaking community via the Internet. A number of Fransaskois schools plan to connect to the SchoolNet, and Industry Canada's Community Access Program has made it possible for Collège Mathieu in Gravelbourg to gain access to the Internet as part of a pilot project linking 1,000 scattered rural communities.

The Association culturelle franco-canadienne (ACFC) called for access to the Réseau de l'information (RDI) by all of Saskatchewan's French-speaking community. RDI broadcasts regional news programs such as "L'Accent francophone", produced in Regina by the CBC. Francophones in Gravelbourg, Prince Albert and Saskatoon now have access to RDI. In Regina RDI is gradually becoming accessible but TV5, the French international channel, is still not available. The reduction in technical and support services and the devolution of responsibility for all of western Canada to the CBC Regina Regional Director will have a significant impact on the Corporation's French-language services. The CBC concluded an agreement with the Association des artistes de la Saskatchewan to produce and distribute a compact disc of the best French recordings.

We note the 10th anniversary of the only French-language professional theatre company in Saskatchewan, La Troupe du Jour, which is a vital component of the Fransaskois cultural industry. Congratulations are also in order to the entire Fransaskois community on the wide range of cultural activities available at the local, regional and provincial levels. It is in large part thanks to this very dynamic cultural infrastructure that despite distances and a small Francophone population it is still possible to live in French in Saskatchewan. In addition, the weekly newspaper *L'Eau vive* continues to make a major contribution to French cultural life in Saskatchewan.

The appointment of Judge Omer Archambault to the Court of Queen's Bench was warmly welcomed by the ACFC and the Association des juristes d'expression française. The program to translate the statutes stepped up its pace and the number of services available in French increased, particularly the translation services of the Office of French-Language Co-ordination.

Economically, the decision in March 1995 to set up a bilingual calling centre in Regina to serve the clients of the Canadian Imperial Bank of Commerce shows that bilingualism is a valuable competitive advantage. This centre represents an investment of \$53 million and will create over 1,100 jobs, nearly half of which will be bilingual.

Community life was enriched by the creation of a new association, the Regroupement des femmes de Saskatoon, which may well serve as a model for the APPF and the ACPF; the latter wish to unite into a new parents' association. In October 1995 the ACFC decided that it would assign priority to economic development, education, social services and sports and recreation. The repositioning exercise of Canadian Heritage will, however, result in some changes in the Association's methods of operation. For example, the recent budget cuts forced the ACFC to take the difficult decision to abolish the position of liaison officer in northern Saskatchewan. Nevertheless, when the new Canada-Community agreement is signed Saskatchewan's Francophones will have the opportunity to invigorate their community.

Federal services

Most of the some 275 offices designated to provide service in both languages are located in Regina, Saskatoon and Prince Albert.

The information sessions held by the Treasury Board once again confirmed the obligation of managers to ensure the active offer of service in both languages. It would be useful for the list of designated points of service to be revised and distributed so that the minority official language community knows which offices are required to provide services in English and in French.

Our study on service to the public published in February 1995 showed that services in French are obtainable only half the time at the designated offices in Saskatchewan. It is in this region of the country that services in French are least accessible. Although there has been a marked improvement in signage and the telephone greeting is usually in both languages, active offer is still not a routine practice when members of the public arrive in person. Too often clients of designated offices must insist on being served in French. Moreover, since specialized services are usually provided by a third party acting as an interpreter, it is hardly possible to speak of comparable services in English and in French.

Managers must adopt methods that enable them fully to implement the Official Languages Act. In order to improve the provision of service in French it will be necessary, among other things, to review the numbers and assignments of bilingual employees. In addition, federal institutions must provide

their employees with information on how to meet their responsibilities. It should be noted, however, that some institutions, such as the Farm Credit Corporation, some rural post offices, Revenue Canada and the Department of Canadian Heritage (except for the Parks Service) already provide quality service in both official languages.

MANITOBA

Nineteen ninety-five was the 125th anniversary of the province of Manitoba. Various events in the course of the year also marked the 150th anniversary of the arrival in Manitoba of the Grey Nuns (the Sisters of Charity) and of the Oblate missionaries. The Grey Nuns founded the province's first hospital, which became St. Boniface General Hospital, as well as the first schools in several regions of Manitoba. The Oblates, who arrived in St. Boniface on August 25, 1845, founded many educational institutions, including the Collège de Saint-Boniface. They also managed the weekly *La Liberté* from 1940 to 1971. This anniversary underlined the essential contributions made by these religious communities, not only in the field of education but also to French social and cultural life in Manitoba.

Other important events in 1995 included the 70th anniversary of Le Cercle Molière, one of the oldest French-language theatrical companies in Canada, and the 26th anniversary of the Festival du Voyageur. This internationally known festival promotes French-Canadian, Métis and Aboriginal heritage and traditions.

The Centre franco-manitobaine du patrimoine in St. Boniface, funded jointly by Western Economic Diversification Canada, the Department of Canadian Heritage and the provincial government, has as its purpose the preservation of the archival heritage of the Franco-Manitoban community. This major archival centre, whose construction should be completed in 1997, will be managed by the Société historique de Saint-Boniface.

Another major project, the Chamber for Community Economic Development, was set up to assist existing businesses, to encourage new ones to open and to promote commercial activity in the 10 bilingual regions of Manitoba belonging to the Association des municipalités bilingues du Manitoba. The project will promote the economic progress of the 48,000 Francophones in these municipalities. In addition to the 10 member municipalities, Western Economic Diversification Canada, the Department of Human Resources Development and the Department of Canadian Heritage will make contributions. The Chamber for Community Economic Development will concentrate its activities in four areas: local initiatives, particularly through the hiring of economic development officers, promotion

and marketing, technical and financial services and human resources development. These achievements stand as eloquent testimony to the importance of Section 41 of the Official Languages Act, which commits the federal government to contribute to the development of the official language minority communities.

This was also the second year of operation for the new Franco-Manitoban School Division (DSFM) No. 49. This Division, created by Bill 34, which amended the Public Schools Act (French school management) so as to implement Section 23 of the Canadian Charter of Rights and Freedoms, elected 33 regional representatives in October 1995, from among whom 11 board members were chosen.

The DSFM covers the entire French-speaking population of Manitoba, regardless of location. It manages some 20 schools attended by roughly 4,300 pupils. In addition, there are another 1,000 or so pupils enrolled in the other school divisions who are pursuing their studies partially in French. More and more eligible students are receiving their education in French. École Taché in St. Boniface, among others, is evidence of the growing need for a refrancization program. We note that a francization kit, prepared by the Commission nationale des parents francophones for pre-school-age children, was highly successful. The educational kit, "Au Manitoba, ça s'fait en français", which was produced by the Société franco-manitobaine (SFM), the CBC and the Bureau de l'éducation française, was distributed to some 20 French schools.

French-speaking parents in Laurier, supported by the Fédération provinciale des comités de parents francophones of Manitoba, reached agreement with the DSFM that it would introduce the French program for students at the school there. This school thus became the 21st school to offer this program. Turtle River School Division No. 32 still refuses to share its facilities in Laurier with the French school.

The DSFM plans to promote the use of the new information technologies in its schools. It is also co-operating with Industry Canada on a pilot project, the Community Access Program, to provide École Pointe-des-Chênes in Ste. Anne with access to the Internet.

The basic aim of the Canada-Community agreement signed in June 1994 by the Société franco-manitobaine and the Department of Canadian Heritage is to enable the community to plan its development more effectively thanks to multi-year funding and to promote progress in areas considered to have priority. The adoption by the SFM of the Schneider report, "Un tournant qu'il ne faut surtout pas rater..." ("An opportunity not to be missed"), was also helpful in defining the community's needs.

The Association des juristes d'expression française du Manitoba published a report on reform of the provincial court, which the authors believe offers an inadequate level of legal services in French. The report recommends that the Manitoba Provincial Court adopt a language policy in order to meet its obligations to the Franco-Manitoban community. The Commissioner referred to this report in his study on the equitable use of English and French before the courts in Canada.

The SFM welcomed the announcement of the appointment in July 1995 of a French-speaking judge, Michel Monnin, to the Court of Appeal.

In the health field some 20 institutions were designated bilingual because they serve regions where there are significant numbers of French-speaking people. Services in French improved slightly, thanks, for example, to the presence of a co-ordinator of French services at the Winnipeg Children's Hospital and the publication of the bulletin "Santé en français" by the Service des ressources-santé en français attached to St. Boniface General Hospital and to the Centre de santé de Notre-Dame-de-Lourdes. The purpose of this service, founded in 1992 after publication of the Gauthier report, is to put French-language services in place in health facilities that serve the French-speaking population of Manitoba.

In September the St. Boniface archdiocese published its new linguistic guidelines for French-speaking parishes. The archdiocese recommends that "each parish offer religious services entirely in French and that all written or oral communications concerning the parish be in French." (*Our translation*)

La Liberté won the prize for general excellence of the Association de la presse francophone in the Roland Pinsonneault category (for newspapers with a circulation of over 3,800 copies). This weekly has also kept up to date with the new technologies and has created its own Internet site. The site provides access to the front page of the weekly, provides for subscriptions and offers a brief history of the newspaper since its founding. The Internet opens up new opportunities for co-operation with the international French-speaking community, and subscription requests have come from as far away as Switzerland.

The Réseau de l'information (RDI) is received in Winnipeg and St. Boniface and negotiations are under way with the cable operators Interlake Cable and Valley Cable Vision to offer it in other regions. We also note the initiative of the Canadian Cable Television Association in launching La Câblo-éducation, which enables schools to record and use educational programs in class in both official languages. The financial situation of the community radio station CKXL in St. Boniface, although stabilized, remains difficult. Its accumulated deficit of \$150,000 required a reduction in expenditures of 40% and the abolition of the journalist's

position at the station. Budget cuts at the National Film Board resulted in the closing of its client service counter in Winnipeg and the abolition of the position of French film marketing and promotion officer.

Winnipeg is offering more and more services in French. The *Annual Report of the City of Winnipeg in regard to service in French* refers to successes in the recreational and social services fields. A number of deficiencies persist in the areas of communications and municipal services, particularly with regard to certain fire department information documents. The overall situation is improving, however, thanks to the work of the co-ordinator of French services and to implementation of the City of Winnipeg's five-year action plan for services in French.

In 1995 the SFM issued a booklet and a video-cassette on the history and economic and cultural life of Franco-Manitobans: "Le Manitoba français : une francophonie au cœur de l'Amérique". The increasing success of the *Annuaire des services français au Manitoba 1996* and of the Centre d'information, which provides a wealth of information on the Franco-Manitoban community free of charge, should also be noted.

Federal services

Manitoba has just over 200 federal offices that are designated to provide services in both languages. Our special study on service to the public published in February 1995 showed that service in French was obtainable at 76% of these offices. On the whole, the sign indicating the availability of service in both languages is widely used and the telephone greeting is usually in English and in French. When clients come in person, however, active offer is frequently lacking.

Information sessions held in Winnipeg by the Treasury Board once again helped to clarify the obligation of managers to ensure that their offices actively offer service in both languages. It would be useful for the list of designated points of service to be revised and provided to the minority official language community so that its members can know which offices must provide services in the language of their choice.

At a number of offices clients must insist on being served in French. In some cases specialized services are provided by a third party acting as an interpreter, so that the services are far from being comparable in both languages. Most federal institutions do not at present have sufficient two-language capability at all their designated points of service to provide equivalent services in both languages.

Nevertheless, a number of institutions such as the weather service of Environment Canada, the Bank of Canada, Revenue Canada, the Department of Canadian

Heritage, some offices of Canada Post and the Canada Mortgage and Housing Corporation, provide quality services in both languages.

ONTARIO

Nineteen ninety-five was a busy year for Ontario's 500,000 Francophones. The Royal Commission on Learning released its report, which carried recommendations on French-language education, including school governance and the equitable distribution of school tax revenues; two new French-language colleges were opened; a provincial election was held; the Association canadienne-française de l'Ontario (ACFO) moved its head office from Vanier to Toronto; and special problems were encountered as a result of deep cuts in government spending.

"[S]chools must be part of a new, co-ordinated societal effort to raise our children with love, care, wisdom, responsibility, and a sense of justice....[Children who have] learned how to learn — an attribute that just about everyone believes is necessary — and who may even have developed a love of learning." This was one of the ideals expressed by the Royal Commission on Learning in its report, *For the Love of Learning*. The Commission, before which the Commissioner appeared to present and defend a brief, brought to light a number of problems related to French-language education; it recommended that French schools receive more substantial and more equitable funding and that the French-speaking community be given the full right to manage its own schools.

When the Royal Commission tabled its report in February the Minister of Education at the time, Dave Cooke, appointed a task force headed by John Sweeney to hold public consultations and report on ways of implementing the recommendations. In September the Sweeney task force submitted an interim report recommending changes in the system of funding education as well as the creation of 15 French school boards. The new boards would replace the 78 existing Francophone school governance agencies, most of which operate under joint English and French school boards. Such a system would appear, at first blush, to satisfy Section 23 of the Canadian Charter of Rights and Freedoms for the 100,000 students attending the province's 400-odd French-language schools.

The proposals made by the task force were generally well received in French-language education circles. The Association française des conseils scolaires de l'Ontario was particularly happy with the proposed changes in funding for French-language education. Roger Régimbal, president of the Association des enseignantes et des enseignants franco-ontariens, said, "We have been asking for a network of French-language school boards for years." (*Our translation*)

In June a new government led by Mike Harris was sworn in at Queen's Park and made reducing public expenditures its top priority. Many members of the Franco-Ontarian community expressed fears that the proposed changes in education might be compromised by budget cuts and that the plan to create new school boards might be put off indefinitely. The Commissioner met with the Minister responsible for relations with the Franco-Ontarian community, Noble Villeneuve, and the Minister of Education, John Snobelen.

In the fall the Commissioner met with French-speaking parents in Cornwall who are taking legal action to claim their rights under Section 23 of the Charter; the Commissioner has obtained intervenor status before the court.

The French-speaking community of Kingston finally secured a suitable new location for Marie-Rivier secondary school, presently housed in mobile units; enrolment at the school was around 100 this year, but is expected to increase considerably. The Commissioner had intervened supportively over a considerable period of time in the matter.

Last year the legislature passed a law making American Sign Language and the Langue des signes québécois languages of instruction in Ontario schools for English- and French-speaking deaf and hearing-impaired children. In 1995 the Association des personnes sourdes franco-ontariennes lobbied the provincial government to implement the new legislation for Franco-Ontarians with hearing problems. The Commissioner met with the Association and assured them of his support, and brought the issue to the attention of the Minister of Education.

Two French-language colleges were opened this year: Collège Boréal in the north and Collège des Grands Lacs in the south. At the official opening of Collège Boréal in Sudbury on September 6 the then federal Minister of Health and Member of Parliament for Sudbury, Diane Marleau, said, "It is through education that we acquire the means to survive. Collège Boréal is becoming the key to developing the Francophone community." (*Our translation*) The two colleges are designed to be "schools without walls" and will take advantage of new distance teaching technologies. Collège Boréal has its main campus in Sudbury and others in Elliot Lake, Timmins, Sturgeon Falls, New Liskeard, Kapuskasing and Hearst; Collège des Grands Lacs has its main campus in Welland and others in Hamilton, Penetanguishene, Toronto and Windsor. In November the Commissioner visited Collège Boréal and met with the President of the college, Jean Watters, and a number of instructors and students.

On October 5 Prime Minister Jean Chrétien officially opened the new campus of Cité collégiale in Ottawa before some 1,500 people. Mr. Chrétien spoke of the importance of Canadian unity and of his government's commitment to supporting Canada's official language minority communities.

Enrolment at Cité collégiale reached an all-time high this year. The college, which has regional campuses in Hawkesbury and Cornwall (although these may not be able to continue), started the new academic year with 3,500 full-time and 10,000 part-time students, 8% more than the previous year. It is increasingly clear that the network of French-language colleges meets a real community need.

Ontario has several universities that offer courses in both official languages: the University of Ottawa, St. Paul University and the Dominican College in Ottawa, Laurentian University and the University of Sudbury in Sudbury, Royal Military College in Kingston, Hearst University College and Glendon College of York University in Toronto. Roughly 41% of the students attending the University of Ottawa and almost one-quarter of those attending Laurentian University are French-speaking and both institutions have worked to increase the number of academic programs offered in French. The University of Ottawa announced that it would begin offering its full course in medicine in both English and French. Ross Paul, Rector of Laurentian University, pointed out the significant progress made over the past seven years in promoting French at the University and stated his intention of expanding the range of academic programs offered in French. A number of individuals and groups in the Franco-Ontarian community, among them Direction-Jeunesse and ACFO, are lobbying for a separate French-language university in Ontario. The Toronto group Alpha Ontario is becoming a "French public education centre" offering literacy courses and skills upgrading workshops in French in a number of different fields.

There was a general election in Ontario this year. The Progressive Conservative Party under Mike Harris won 82 of 130 seats and 45% of the popular vote. One of the new Premier's first commitments was to preserve the French Language Services Act. Mr. Harris appointed Noble Villeneuve, a Francophone MPP from eastern Ontario, Minister of Francophone Affairs.

It was clear, however, that the new government planned to make deep budget cuts in all its programs as part of an effort to reduce the provincial deficit. In October it announced that it was ending \$400,000 in grants to French-language health and social services centres in Hamilton and Welland, a move that would soon lead the centres to close, and the Centre médico-social communautaire in Toronto had to dismantle its social services unit as a result of government cutbacks. SOS Femmes, an organization that operates a Toronto-based emergency telephone line for French-speaking women in trouble, announced that it would no longer be able to provide service at night or on weekends because of the reduction in Ontario government grants. A number of bilingual hospitals and social services centres in the province also had their budgets cut significantly.

In the view of Franco-Ontarians the network of the 100 or so institutions that provide health and social services in French in Ontario was being seriously threatened. While they recognized the need to fight the deficit, many community leaders voiced strong opposition to the budget cuts. A coalition of Francophone organizations was formed in an effort to stem the reduction in French-language social and community services. In his meetings with ministers the Commissioner expressed his own concerns about the cutbacks and pointed out how important — and fair — it is for the French-speaking community to be served in its own language.

The French Language Services Act does not apply to Ontario municipalities, but there is an organization — the Association française des municipalités de l'Ontario (AFMO) — that represents more than 40 municipalities and promotes municipal services in French. Some municipalities went to great lengths this year to offer services in both languages; the Regional Municipality of Ottawa-Carleton (RMOC), for example, established a French-language services committee made up of members of the public and RMOC staff. However, Franco-Ontarian municipal councillors feared that the provincial government's budget cuts would compromise French-language services; they were reassured somewhat when AFMO president Roger Ravary met with Noble Villeneuve and was told that "French-language services would remain intact." (*Our translation*)

French is being used more widely in Ontario courts. In a speech to the Quebec Bar Association Ontario lawyer Paul S. Rouleau noted that in 1995 the Revised Statutes of Ontario, the principal regulations and the Rules of Civil Procedure were all published in both English and French and that the English and French versions were equally valid. Mr. Rouleau invited Quebec lawyers to use French in their dealings with Ontario.

In November, before the Association des juristes d'expression française de l'Ontario (AJEFO), the Commissioner made public his study on the equitable use of English and French in Canadian courts. In the report the Commissioner states, "Ontario has a significant legislative framework which allows for the use of French before its courts." He also cites a number of provisions related to language rights in the Courts of Justice Act, the 10th anniversary of which was being celebrated by AJEFO. However, according to a September 1994 study carried out by Professor Marc Cousineau for the Attorney General of Ontario, many Franco-Ontarians appearing in court still do not obtain or exercise their right to use French.

On January 13, 1995, ACFO opened new headquarters in Toronto. The opening was the last step in the process of moving the head office of the Association, which has some 20 regional components throughout the province; a resolution to relocate the office had been passed at a general

meeting two years ago. Most members felt it was important for the head office to be near Queen's Park and in a location that would be more readily accessible to all French-speaking communities in the province. The move also enabled ACFO to reach out to new French-speaking communities in the Toronto area. The then premier, Bob Rae, attended the official opening and noted the contributions of the Franco-Ontarian community to the development of the province.

The annual meeting of ACFO was held in Toronto in June and the Commissioner of Official Languages took part as a guest speaker. The Commissioner emphasized the importance of school governance, equitable distribution of school tax revenue, French-language vocational training and the fight against illiteracy. Towards the end of the year the Commissioner released an investigation report on vocational training in Ontario in which he expressed broad support for ACFO, which is particularly concerned about the quality and number of training programs in French.

Some regional components of ACFO were also very active during the year. In October the Prescott-Russell chapter held an eastern Ontario Francophone summit that attracted youth groups, farmers and business people. A new chapter of ACFO was founded in Sault Ste. Marie. The head office held workshops in Toronto, Ottawa and Sudbury with strategies for community co-ordination and political action as their theme. Finally, in the wake of the Quebec referendum, the president of the Association called on "all community and political forces in Canada to put their shoulders to the wheel and work hard to ensure distinct status for Quebec within Canada and real recognition of Canada's linguistic duality from coast to coast." (*Our translation*)

Franco-Ontarians reacted very positively to the call for co-ordination and community planning issued a year ago by the Department of Canadian Heritage. A dozen Franco-Ontarian organizations joined forces in the Coalition pour le développement et l'épanouissement de la communauté franco-ontarienne. The coalition met several times during the year to draft development plans and discuss issues with representatives of the federal government. Ethel Côté, spokesperson for the Coalition and Executive Directive of the Conseil de la coopération de l'Ontario, pointed out the community's expertise in economic development and the need to carry out projects that will enable Franco-Ontarians to take charge of their economic future. In this connection a group of French-speaking organizations opened the Place de la Francophonie, a \$3.5-million-dollar building in Ottawa, and a new Caisse populaire began operations in Toronto.

Most Franco-Ontarian homes are able to receive the CBC's French-language radio and television services as well as the Réseau de l'information (RDI). These services are considered essential to the long-term growth and vitality of the French-speaking community in Ontario, which is why

Franco-Ontarians were so critical of the cuts in the CBC's budget this year; for example, journalist André Girouard of the Sudbury weekly *Le Voyageur* described the cuts as a "deep injustice" to Francophones. However, while the CBC had to scale down some of its services because of budget cuts, private-sector French-language media outlets made some efforts to fill the gaps; the province has no fewer than seven private French-language radio stations and seven community radio stations. TVOntario's la Chaîne française, renamed Télévision française de l'Ontario (TFO), is available to many if not all French-speaking households, but some Francophones fear that the provincial government's budget cuts and the possible privatization of TFO will result in a reduction in French-language programming. The international French-language network TV5 is available to many French-speaking households. The Franco-Ontarian community has one major daily newspaper, *Le Droit* in Ottawa, and 13 weeklies in various regions.

The Commissioner was a guest speaker at the opening of the third annual French book fair in Toronto in October. The event was held at the Toronto Convention Centre and drew some 115 exhibitors and 10,000 visitors. The Centre francophone de Toronto offered a wide range of programming again this year. As usual, Francophones throughout the province organized a number of festivals: the Festival franco-ontarien in Ottawa and Nuit sur l'étang in Sudbury are especially well known. Le Théâtre du Nouvel-Ontario was also very active.

For the first time the province awarded a Trillium Prize for literature to a French-language author; poet Andrée Lacelle received the honour for her collection, *Tant de vie s'égare*. The second Franco-Ontarian games were held in Vanier in May; some 600 young Francophones from 60 schools throughout the province took part.

Many parents are concerned about the relative shortage of daycare services in French in Ontario; near the end of the year the Commissioner visited the Garderie Soleil in North Bay, the largest in the province, and was impressed by the quality of its organization and programs.

Ceremonies were held in a number of Ontario communities marking the 20th anniversary of the adoption of the green and white flag, which is the symbol of the Franco-Ontarian community.

Federal services

There was an appreciable increase in the number of complaints received and handled in the Ontario Region this year. Many relate to language of service; in particular, the travelling public experiences language problems at border crossings and with Air Canada, where passengers continue to

be plagued by inequitable ground and in-flight services from its partner regional airlines, and complaints continue to focus on the Rapidair counter and the Maple Leaf Lounges at Pearson International Airport in Toronto. A lack of sensitivity to the language of service preference of passengers during pre-boarding security administered by Transport Canada also continues to be a concern.

The Commissioner's Toronto Office met on a number of occasions with members of the Franco-Ontarian community and participated at various meetings of their organizations and associations throughout the year, some of which also included representatives from various federal departments. Meetings were held in Iroquois Falls, Sudbury, North Bay, Manitouwadge, Sault Ste. Marie and Ottawa, as well as throughout southwestern Ontario.

The Toronto Office continued its efforts to interact with the departmental official languages directors who are the liaison between the federal departments and the Office of the Commissioner. A mailing was sent to them and to officials of agencies and corporations which fall under the Official Languages Act. The aim was to introduce them to the Regional Office staff and to encourage them to contact the Office should they require more information regarding the resolution of complaints or concerning their obligations under the Act.

Some federal institutions strive to ensure that their communications with the Commissioner's Toronto Office are effective insofar as complaint resolution is concerned; one such example is Canada Post in Toronto. The Toronto Regional Office also has noted a pro-active approach to visual communication with the public by certain institutions, as for example the CN Tower during its recent renovations, when information and signage were made fully bilingual.

QUEBEC

Predominantly French-speaking, Quebec has an English-speaking minority of more than 800,000 people, more than half of whom live in Montreal and the other half in communities both close to Montreal and spread across the province from the Magdalen Islands to the Abitibi district. Many have roots that stretch back several generations.

The fall of the year was marked by the campaign on the constitutional future of Quebec and the referendum on October 30, which was won narrowly by the No side. Once the vote was over many English-speaking people felt, in the words of President Nancy Beattie of the Townshippers' Association, that the referendum had been "deeply divisive". In a brief to the Estrie Regional Commission on the Future of Quebec the Association had earlier called for "A political environment which permits both English-speaking and French-speaking

people to live in a state of mutual respect and that encourages the sharing of the best attributes of all cultures....”

During the year there was discussion of issues of importance for the English-speaking communities: the Estates General on Education, English-language health and social services and job opportunities for English-speaking youth. In these matters the English-speaking communities sought as much as possible to defend their interests in partnership with the French-speaking majority.

The English school system of Quebec continued to be an area of concern. While 25 years ago Quebec had 250,000 children in English schools, by 1995 there were fewer than 100,000. (This figure appeared, for the moment, to be leveling off but projections indicate a further decline in the near future.) There are currently 137 Catholic and 18 Protestant school boards; there are 365 English schools. As the 1992 Report of the Task Force on English Education in Quebec (the Chambers Report) expressed it: “English-language education in Quebec is a sector in need of a system — broader visions, better information, and better networks of mutual support.”

The Estates General on Education provided an opportunity for the English-speaking communities to put forward their case. On August 29, following consultations around the province, Alliance Quebec presented a comprehensive brief. It stressed the need for a school system fully managed by the English-speaking community and for an end to the division within the English sector between Protestant and Catholic school boards. Such a situation had indeed been foreseen in Bill 107, the Education Act of 1988, but this aspect of the Act has not yet been put into effect.

The Alliance Quebec brief also called for relaxing the regulations regarding access to English schools, which as a general rule limit admission to children with at least one parent educated in English in Canada. The brief cited Section 23 of the Canadian Charter of Rights and Freedoms, dealing with minority educational rights, and the Chambers Report, in which the very first recommendation called for widening access to English schools.

The brief highlighted the need for more vocational training programs in English and for efforts to reduce the alarming school drop-out trends; it was estimated that 38% of young people are dropping out of school before getting a high school diploma. Finally, it argued for better French second-language programs to enable English-speaking people to participate more effectively in the French-speaking society around them.

Other English-speaking groups also submitted briefs to the Estates General. The Committee for Anglophone Social Action (CASA), which represents 10,000 English-speaking people in the Gaspé Peninsula, told the Estates General that a lack of employment opportunities is forcing the communi-

ty's young people to leave the region and that one of the reasons for unemployment is an insufficient knowledge of French. CASA recommended that knowledge of French as a second language be considered an essential job skill and that French instruction be improved in the English schools. The Châteauguay Valley English-Speaking Peoples' Association asserted that there are insufficient resources for English schools, especially in health and social services, textbooks, teacher-pupil ratios, resources for students with learning difficulties, computers, basic English education and French second-language training.

Some 12,200 English-speaking children attended private schools this year, a number that has been growing gradually. The Quebec Association of Independent Schools represents some 22 private schools attended by English-speaking children, but the instruction in several of these schools is largely in French, the scholastic programs being of the French-immersion type (see Part v of this report).

The province has a dynamic English post-secondary sector with five community colleges (Champlain, Dawson, John Abbott, Vanier and Heritage) and three universities (McGill, Concordia and Bishop's). Several of these institutions have national and even international reputations, but times are hard. The new principal of Bishop's University, Janyne Hodder, who has spent much of her professional life seeking to bridge the two cultures, says, “How to negotiate what I expect will be severe cuts while trying to keep the quality of education we offer here is quite a challenge.” The heads of McGill and Concordia, Bernard Shapiro and Frederick Lowy, were negotiating with each other and with French-language universities to form “strategic alliances” so that their institutions can share facilities, economize and yet maintain high academic standards. To *Maclean's*, which this fall again ranked McGill close to the top in its annual review of Canadian universities, Principal Shapiro commented, “We're a community of learners, and learners ought to be able to reimagine a better world.”

There are, however, persistent problems for some young people in finding employment in the province, especially those with less education. Some feel that they do not speak French well enough to compete for jobs. Alliance Quebec and other community associations have sought to deal with difficulties experienced by English-speaking Quebecers in a labour market where a good knowledge of French is essential. In a letter to Prime Minister Jean Chrétien, Michael Hamelin, president of Alliance Quebec, and Marven Blakely, president of its Laval Chapter, wrote, “The French language is one of the new prerequisites of the modern labour market....Virtually every English-speaking Quebecer is required to communicate effectively in his or her second language....The motivation is not lacking: courses that are within a reasonable cost are.” Similar representations were made to the government of Quebec.

Alliance Quebec headquarters sought to assist youth to find employment through outreach programs, and almost every regional Alliance Quebec chapter and many other English-speaking associations offered employment and placement services. The community, preoccupied as it has been with the exodus of young people, has collectively made considerable efforts to find work for them in the province.

In September, during a visit to CASA in the Gaspé Peninsula, the Commissioner recognized employment programs for English-speaking youth as a priority issue: "Language skills, specific technical skills, those are things that we need to pay attention to, and it is clear that there is less availability of resources in that regard for the English-speaking community than for the majority French-speaking community." However, it was clear that all Quebecers, English-speaking and French-speaking, have to work together to resolve youth unemployment problems.

The Commissioner addressed the *Chambre de Commerce de Gaspé*, met with regional managers of federal institutions and gave a number of television and radio interviews, one of the latter being beamed across to the Lower North Shore.

The Quebec judiciary has a long tradition of bilingualism. However, because of fears of possible erosion of this bilingualism, the Montreal Bar conducted a study and an *ad hoc* committee reported this year its findings on the access to the justice system in the English language. The committee found that the services in English, as in French, are still available, but it felt the need to make a number of recommendations so that language rights continue to be respected. One of its recommendations concerned the need to modify court rules so as to determine clearly in advance the language or languages in which evidence will be presented at hearings.

A 1995 study by the Commissioner also found an impressive degree of bilingualism in the Montreal judiciary, but indicated that some language problems exist outside Montreal. For instance, the study determined that in regions such as the Eastern Townships and the Gaspé Peninsula, difficulties can occur "because of the lack of two-language capability of the court personnel at the courthouses and the lack of availability of other legal services in English."

There is a long tradition in Quebec of offering health and social services in English and over 200 institutions, many founded by English-speaking communities, provide such services. In 1986 the National Assembly first adopted Bill 142, dealing with English-language health and social services, and in 1991 this legislation was further developed in Bill 120, which stipulated that: "English-speaking persons are entitled to receive health services and social services in the English language." This year, however, the financial situ-

ation of the province has resulted in severe budgetary restrictions that potentially threaten services in English.

Early in the year, following province-wide budget cuts by Health Minister Jean Rochon, the Quebec City regional health board announced plans to convert the Jeffery Hale Hospital from a general hospital into a long-term care facility. The community responded with considerable emotion. For years the "Jeff" has been the principal general hospital serving Quebec City's Anglophones, as well as English-speaking communities in the Gaspé, the Magdalen Islands and the Lower North Shore. An English-speaking community coalition came together and, along with many Francophones, organized demonstrations and fund-raising activities to maintain the hospital. The Commissioner wrote to Dr. Rochon, asking him to review the plans for the hospital in the light of its importance for the English-speaking communities concerned. However, at year's end the conversion plans for the Jeffery Hale Hospital had not been changed.

The Montreal regional health board announced plans to close, or change the mandates of, nine hospitals, several of which serve a large English-speaking clientele. The Queen Elizabeth Hospital, a well-established community hospital in Notre-Dame-de-Grâce, with 215 beds and the province's only English-language rape crisis centre open 24 hours a day, was one of the institutions identified. As in Quebec City, a large coalition was mobilized in support of the threatened hospitals and on September 13 some 12,000 persons, both English- and French-speaking, demonstrated against the closures. *The Gazette* affirmed that "...shutting the Queen Elizabeth Hospital will rob a huge Montreal Anglophone population of a community hospital with deep roots." In November, however, the government and the regional board affirmed their decisions.

On the other hand, Sharon McCully of the *Sherbrooke Record* commented on the goodwill of the Montérégie regional health board, which made plans this fall to ensure that three district service centres would offer services in English.

The community continued to hope that the government would give priority to the plans for the McGill University Hospital Centre. This proposed super-hospital would result from a merger of the Royal Victoria, Montreal Neurological, Montreal General, Montreal Children's and Montreal Chest hospitals.

It was a busy year for all English-speaking community associations and the Commissioner met with representatives of most of them. Alliance Quebec held its annual general meeting in Montreal in May; over 250 delegates from its 11 regional chapters and many affiliated organizations attended. President Michael Hamelin said in his keynote speech that committed citizens can change the world; it was certainly an objective of Alliance Quebec to effect changes

in favour of English-speaking citizens. The Alliance participated in the referendum campaign, submitted briefs on education and health services, organized a youth employment conference and an economic conference and put together a detailed five-year development plan. It also published a mission statement: "Alliance Quebec is committed to the preservation and enhancement of the English-speaking communities and institutions within Quebec." The Alliance supported English-language culture and arts in the province, in particular the Quebec Society for the Promotion of English Language Literature (QSPELL). To assist in the promotion of French as a second language among English-speaking young people Alliance Quebec, with the Office de la langue française, sponsored a French essay-writing contest for secondary and CEGEP students.

On November 19 the Quebec Community Groups Network, a coalition representing 13 community associations, and the then Minister of Canadian Heritage, Michel Dupuy, signed a Canada-Community agreement for the purpose of supporting the development and enhancing the vitality of the English-language minority communities of Quebec. (The agreement did not include the Townshippers' Association and the Châteauguay Valley English-Speaking Peoples' Association, which chose to opt out but will nevertheless receive funding.) This agreement will involve the expenditure of \$8.4 million from the Department of Canadian Heritage over the four years from 1995-96 to 1998-99. This allows for a comprehensive approach to community development, although the sum involved represents a decrease from levels of funding in prior years.

English-speaking people around the province continued to benefit from local community newspapers. There are 26 of these: weeklies, bi-weeklies and monthlies. They provide people with local news and help tie the minority communities together. These papers are served by the Quebec Community Newspapers Association (QCNA), which provides them with common services from marketing to technical operational matters. The Commissioner met with representatives of the QCNA in order to examine problems regarding their financial support from the federal government and other survival issues.

In May the Commissioner had an extended meeting with some 40 representatives of a broad spectrum of Eastern Townships community organizations under the auspices of the Townshippers' Association. He also held discussions with the Townshippers' leadership and sat down with the editorial boards of *La Tribune* and the *Sherbrooke Record*. He addressed the Chambre de Commerce de Sherbrooke, met with the executive director of the Société Saint-Jean-Baptiste of that area and gave an interview to the television program "Townships Magazine".

CASA celebrated its 20th anniversary this year with many accomplishments to its credit in the fields of community development, education and health and social services.

The Outaouais Alliance in western Quebec sought to promote its Heritage College and to increase employment opportunities for English-speaking youths.

Led by a new president, Scott Buckle, the Coasters of the Lower North Shore identified a number of community development priorities, notably support for three new community radio stations, availability of health services in English and improvement of French-language job skills among community members.

The Voice of English Quebec (VEQ), in addition to rallying around the "Jeff", sought to promote English-language broadcasting in Quebec City in conjunction with TVA and CanWest. Following the referendum, VEQ addressed a letter to all members of Canadian legislatures, asking them to work for constitutional change: "It is now the time to translate the promises of our elected officials, as well as the gestures of understanding and affection of the Canadian population, into concrete actions and results."

The Commissioner met, as he has in the past, with the heads of the Conseil de la langue française and the Office de la langue française for frank and cordial discussions.

Federal services

Generally speaking, federal services are available in both official languages not only in the Montreal area, home to almost 80% of Quebec's English-speaking minority, but also, by and large, in other regions of the province in which there are minority communities. The quality of the English-language services provided generally meets both demand and the requirements of the Act satisfactorily but active offer needs to be improved. Use of the official languages symbol and a two-language telephone greeting is widespread but the people responsible for greeting clients in person do not always use a two-language formula to initiate conversation.

Although large numbers of federal public service jobs in Quebec must be bilingual because of the needs of external communication, we continue to feel that the current proportion is higher than strictly necessary.

In regions of the province in which federal employees can work in the official language of their choice — Montreal, some parts of the Eastern Townships, Gaspé and western Quebec — federal institutions do not always do what they should to ensure a workplace that is conducive to the effective use of English and French. There are still too many incidents of memoranda to all staff being written in French only, training and development courses not being offered equally in English and French and internal meetings being conducted entirely in French. Moreover, despite the high level of bilingualism among employees, English-

speaking public servants still do not always venture to write or speak to their supervisor in the language of their choice. French-speaking employees working for some Crown corporations report similar experiences.

It seems that when they set the language requirements of positions federal institutions tend to assign far more weight to factors related to language of service than to language of work. Federal institutions generally have the linguistic resources to serve their clients adequately in both languages. However, some supervisors lack the language skills they need to be able to communicate adequately with their employees in the employee's own official language.

English-speaking Quebecers are still very much underrepresented in the federal Public Service. If their participation were proportional to their demographic weight federal institutions would probably place more emphasis on language of work. While the recruitment of new federal public servants is not really an option in the current economic climate, increasing the participation of English-speaking persons must continue to be a concern, one that must be addressed by using imagination and creativity.

THE ATLANTIC PROVINCES

The Atlantic region has a French-speaking population of some 300,000 persons, most of whom live in New Brunswick, an officially bilingual province. The positive developments that occurred this year in the area of school governance for Acadian parents in Nova Scotia give hope of a regime that complies with Section 23 of the Canadian Charter of Rights and Freedoms in the near future. The citizens of New Brunswick returned the government of Premier Frank McKenna to power and, rejecting the Confederation of Regions Party (CoR), elected an Opposition that supports the official languages program in the province. The French-speaking communities of Nova Scotia and Newfoundland signed Canada-Community agreements and the other French-speaking communities in the Atlantic provinces were working on development plans and agreements of the same kind. Francophones were pleased that new community radio stations went on air in the region but were concerned about the possible impact of the cuts announced by the CBC, which might adversely affect regional service.

NEW BRUNSWICK

"The University of Moncton has rendered fine service to Francophones." (*Our translation*) With these words, the mayor of Moncton, Léopold Belliveau, drew attention to the importance of university research and education in the social and economic progress made by Francophones in the

province. The University of Moncton, which has some 6,000 students at its three campuses in Moncton, Shippagan and Edmundston, opened a new facility for its School of Law this year, the Adrien J. Cormier Building. The Commissioner was one of the distinguished speakers invited to take part in the opening ceremonies. The University also took initiatives in the area of information technologies, particularly with respect to the place of French on the Internet. It adopted a language policy that makes it "a French-language institution whose primary mission is to respond to the aspirations and expectations of the French-speaking population of eastern Canada and particularly of the members of the Acadian community." (*Our translation*) The University, which is committed to promoting the effective use of French, created a Conseil de la langue française in its Senate.

While the University of Moncton stands at the head of the network of educational institutions in Acadia, New Brunswick also has no fewer than four French-language community colleges, located in Bathurst, Campbellton, Dieppe and Edmundston, as well as a separate French-language school system with 138 schools and 50,000 students divided among six school boards. Each year the province organizes a Semaine de la fierté française in its French-language schools. Efforts to promote educational and occupational training seem to be bearing fruit, since the Fédération d'alphabétisation du Nouveau-Brunswick (FANB) was able to announce a 4% drop in the overall rate of illiteracy among Francophones in the province in recent years. However, the president of FANB, Roger Doiron, emphasized that up to 29% of New Brunswick's Francophones still have difficulty reading and writing.

In the provincial election of September 11 the Liberal government of Premier Frank McKenna was returned to power with 51.4% of the vote. CoR, which opposes official bilingualism and which had formed the official Opposition in the previous Legislative Assembly, did not elect a single member. Bernard Valcourt, the first Francophone to head the Conservative Party, became Leader of the Opposition.

After the election Premier McKenna appointed a 22-member Cabinet, with Francophones filling 10 of the posts, including those of Deputy Premier and Minister of Finance. In an editorial Nelson Landry of *L'Acadie Nouvelle* praised the composition of the Cabinet: "In terms of linguistic and geographical representation the Cabinet unveiled yesterday by Premier Frank McKenna comes within a whisker of perfection." (*Our translation*)

The Société des Acadiens et Acadiennes du Nouveau-Brunswick (SAANB) has long been calling for changes to the province's Official Languages Act. Its president, Lise Ouellette, has asked the government to adopt a strategy to ensure real equality of the two linguistic communities. The SAANB wants the Act to apply to municipalities and

hospitals and asks the government to introduce a better system for handling linguistic complaints. The SAANB is opposed to any proposal for a union of the Atlantic provinces, in which Francophones would be a smaller percentage of the population than they are in New Brunswick.

Premier McKenna did not make a commitment to amend the Act but he promised to “find a way to evaluate our language policy” (*our translation*) and he developed other projects of interest to Francophones. At the general meeting of the SAANB in Shippagan on June 3 he stated that he would ensure that Acadia receives the best possible educational programs and the benefits of modern technology. New Brunswick hopes to host the Francophone Summit in 1999.

Although New Brunswick's Official Languages Act does not apply to municipalities, some of them have taken the initiative of adopting an official languages policy. In addition, a group of more than 30 French-language municipalities, the Association des municipalités du Nouveau-Brunswick, promotes municipal services in French. Many Acadians are opposed to the merger of small municipalities into larger units, fearing that services in French might be compromised.

The SAANB sought this year to plan and negotiate a Canada-Community agreement with the Department of Canadian Heritage. Its objectives include the adoption of a policy aimed at “zero assimilation for a lasting future” (*our translation*), the reorganization of government services to ensure better service in French, greater participation by Francophones in the economic development of the province and better cable television service. The French-speaking community appreciated the advent of the Réseau de l'information (RDI) in the province in 1995 and called for an increase in the air time devoted to the CBC's regional programming.

Francophones in New Brunswick receive CBC radio and television services in French and those of various private stations. The community reacted sharply to the cuts to the CBC, fearing a reduction in regional services. In his editorial of August 30 Hector J. Cormier of the *Moniteur Acadien* praised the French-language services of the CBC: “Acadians fought hard for access to public radio and television. These tools were to become essential in the fight against assimilation and the creation...of solidarity [between the official language communities].” (*Our translation*)

The great success of French-language community radio should also be noted. For example, Radio Beauséjour in the southeast celebrated its first anniversary on the air and published a survey indicating that 51,265 listeners tune in at least once a week. New Brunswick has a major French-language daily, *L'Acadie Nouvelle*, with a circulation of 20,000, four weeklies and several specialty magazines published in French.

The Société nationale de l'Acadie (SNA) held its annual meeting in Edmundston in May. The SNA, which includes the provincial associations of the four Atlantic provinces, is active in culture, communications, education and international exchanges, particularly in the context of a France-Acadia agreement.

Federal services

The federal government has 6,898 employees to serve the population of the two language groups in New Brunswick. Of these, 2,185 (31.7%) have French as their first official language and 4,713 English; of the latter, 2,638 employees fill positions identified as bilingual and 2,412 of them meet the language requirements of their position. While 28.6% of federal employees are thus able to provide service in both official languages, some federal institutions nevertheless still have difficulty in meeting their linguistic responsibilities.

In 1995 124 complaints were received about federal institutions in New Brunswick. Most were concerned with the absence of reception and service in French and the impossibility of working in their own language some French-speaking employees encountered.

We received many complaints about the lack of service in French at passenger control at Moncton airport. As for language of work, Transport Canada has still not succeeded in creating a work environment fully conducive to the use of both official languages: pay services, work instruments and memoranda are still sometimes provided in English only.

We investigated 12 language of work complaints involving the Public Service Commission (PSC). In November the staff of our regional office did a follow-up at the PSC and found improvement. In 1995 the PSC provided excellent service in both official languages to members of the public.

At its own offices in New Brunswick Canada Post Corporation seems to meet its linguistic obligations quite well. However, it is sometimes difficult for it to ensure respect for the linguistic clauses in its agreements with certain franchises. The latter are required to provide service in both official languages at postal counters in pharmacies, corner stores or department stores. Since the employees are mainly unilingually English-speaking, service to the public leaves something to be desired in many cases. These employees sometimes turn to bilingual employees who are assigned to other duties and who are not familiar with postal services.

The Correctional Service of Canada was also the subject of a number of complaints, particularly regarding the lack of social rehabilitation programs in French.

Very few complaints were made about the Department of Human Resources Development in 1995 and corrective action was taken immediately. For example, as soon as the Department was informed of a problem with the linguistic profile of a position in the Miramichi region it modified the profile to reflect the language requirements of the position more accurately. In another case it agreed to pay the expenses of a client travelling from Tracadie to Bathurst to allow him to take an employment test in the official language of his choice. In addition, the Department took the measures required to administer the test in both official languages at its employment centre in Tracadie.

In general, most federal offices in New Brunswick provide quite good service in both official languages. The major problem concerns language of work. Federal institutions do not always succeed in creating a work environment conducive to the use of both official languages because many managers misunderstand or are not sufficiently aware of their linguistic responsibilities in this regard. They will be better informed in the future, thanks to the brochure entitled "English and French in the Workplace — What Federal Employees Need to Know", recently published by the Treasury Board and the Office of the Commissioner of Official Languages.

NOVA SCOTIA

"We are in the very heart of old Acadia...but also modern Acadia. The new generation will inherit our traditions. It will be prepared to play its role in the country's future....Acadia is a symbol that is continually reborn." (*Our translation*) So spoke the Governor General of Canada, Roméo LeBlanc, at Université Sainte-Anne's Convocation on April 29. Before 55 graduates of this French-language university located in Church Point, Mr. LeBlanc listed the contributions of Acadians to Canada and to the world at large. While the Governor General's visit was the biggest event at Université Sainte-Anne this year, the venerable institution also welcomed other figures as part of the festivities surrounding its 105th anniversary and the opening of its academic building, Bernardin J. Comeau Hall.

Université Sainte-Anne is not the only French-language post-secondary institution in Nova Scotia; the Collège de l'Acadie has some 600 Francophone students at six different locations in the province and offers distance education courses using new information technologies. This year the Collège awarded diplomas to 74 graduates of seven professional training programs.

The Acadian community devoted its main energies to a school system that is undergoing major change. Early in 1995 the government published "Horizons", a white paper on education that set out various formulas for the reform of

school boards. The Minister of Education, John MacEachern, then proposed a single Acadian school board uniting the province's 5,000 Francophone students and suggested holding consultations on the proposal, assigning responsibility to a special adviser, Allister Surette, MHA for Clare. A school management implementation committee was established, chaired by Léon Richard. This committee met for the first time on August 30 and then visited all the French-speaking regions of the province.

There were signs of impatience with these lengthy preliminaries. The 1995-96 school year began under the auspices of the old mixed English and French school boards, and the Fédération des parents acadiens de la Nouvelle-Écosse (FPANE) pointed out the urgent need for action in a brief addressed to the Minister of Education. It recommended "that the provincial Acadian school board be the priority and that it be set up as quickly as possible." (*Our translation*) The Commissioner of Official Languages communicated several times, in person and by letter, with the government of Nova Scotia to point out the urgency of establishing a school system that fully complies with Section 23 of the Charter.

In November the government tabled a bill to reorganize the entire school system and create a provincial Acadian school board. Initial reaction from the community, and particularly from FPANE, was favourable.

At their conference in Halifax in October the Atlantic premiers announced the creation of a fund for the development of educational resources in French. Because of the small number of pupils in some provinces the cost of producing educational material in French is high; this agreement will allow the provinces to reduce the burden and better serve French-speaking students in the Atlantic region.

The federal government and representatives of the French-speaking community of Nova Scotia negotiated a major community development agreement. This Canada-Community agreement, signed on August 24 and involving nearly \$5 million over four years, commits the parties to assisting the province's French-speaking community in achieving its objectives in education, occupational training, community development and the promotion of services in French. Robert Thibault, outgoing president of the Fédération acadienne de la Nouvelle-Écosse, said that the agreement "will make a major contribution to the vitality of the Acadian communities." (*Our translation*)

A new community station, Radio-Chéticamp, went on the air on October 6 and barely one week later the journalist Daniel AuCoin noted in *Le Courrier* the population's growing interest in its programming.

The French-speaking population is concentrated in eastern Nova Scotia in Chéticamp, on Isle Madame and in Pomquet, in the central part of the province in Halifax-Dartmouth, and in the southwest in Clare-Argyle and Yarmouth. The last census gave the population of the province as 899,945, 4.4% of whom listed French as their mother tongue.

Federal services

French-speaking Canadians in Nova Scotia still have difficulty in receiving services in the official language of their choice from federal institutions. In 1995 some 105 complaints were made against over 25 federal institutions in the province; most concerned the absence of service in French.

The Department of Canadian Heritage was the subject of six complaints concerning activities surrounding the Grand Campement. During registration for this event at the Fortress of Louisbourg service was not always provided in French, signs written in English were installed to deal with last-minute problems, the registration form was given to participants in English only and volunteers had to wait nearly an hour to receive the French version of the agreement governing their services. While Canadian Heritage has sufficient bilingual staff these incidents show that it must take measures to provide service in French at all times.

At Halifax airport announcements by Air Canada are often made in English only and counter service is not always available in French. We continue, year after year, to receive complaints in this regard. Complaints involving Transport Canada mainly concerned unilingual English signage at Halifax airport. Since being notified of this problem the Department has taken the required corrective action.

It should also be noted that the Atlantic Canada Opportunities Agency did everything possible in 1995 to improve the availability of its services in both official languages.

Some of the complaints from Nova Scotia were related to language of work. They involved, for example, the inability of the Public Service Commission (PSC) in Halifax to provide service in French to the members of its staff working out of the PSC district office in Moncton. The PSC took steps to correct the situation.

Forty-nine complaints concerned advertisements published in the English-language media without an equivalent in the French-language press. The federal institutions receiving the largest number of complaints in this regard were the Halifax Port Corporation, the Atlantic Canada Opportunities Agency, the Canadian Radio-Television and Telecommunications Commission and the Federal Business Development Bank.

Of the 11,929 federal employees in Nova Scotia 823 (6.9%) fill positions identified as bilingual. Of them, 126 (15.3%) do not meet the language requirements of their position. Institutions whose reorganization, made necessary for example by the merging of various services, is not yet completed will have to take into account their responsibilities for service to the public in both official languages when carrying out their restructuring. There are only 443 federal employees whose language is French; this is 3.7% of all federal employees in the province, whereas 4.4% of the population is French speaking.

PRINCE EDWARD ISLAND

On September 15 Premier Catherine Callbeck inaugurated the Dr. J. Edmond Arsenault Library, housed in Le Carrefour de l'Isle-Saint-Jean. Named in honour of one of the pioneers of French-language education on the Island, the library will serve both the general French-speaking public of Charlottetown and the 185 pupils of École François-Buote.

There is no doubt that the greatest progress made by the Francophone community of Prince Edward Island in recent years has been in education. Prince Edward Island was the first province with a large English-speaking majority to develop a school system that complies with Section 23 of the Charter. For over five years the province has had a French-language school board in charge of the education of all French-speaking students. A few problems do persist, however. For example, many French-speaking parents have for months been calling for a French school in Summerside because their children must choose between attending the local English school and making the trip to the Évangéline French school in Abram's Village, some 20 km away. Some complain that the Department of Education exercises too much control over the French-language school board.

Significant progress was made on the post-secondary level in 1995. The Collège de l'Acadie, with its main campus in Nova Scotia, opened a campus in Wellington so that French-speaking students from the Island could take college courses in French without leaving home.

The French-speaking community, and particularly its Société Saint-Thomas d'Aquin (SSTA), was active in drawing up development plans and negotiating a Canada-Community agreement. The then Minister of Canadian Heritage, Michel Dupuy, paid a visit to the Island's French-speaking community on August 24 and 25 and reiterated his commitment to the implementation of Sections 41 and 42 of the Official Languages Act. Following this visit representatives of the Island's French-speaking community and the Department began in November to negotiate an agreement to ensure the economic and social vitality of the community.

Although the provincial government has adopted an official languages policy and made progress in offering services in French, in certain areas some problems persist. The French-speaking community expressed disappointment that the new provincial Capital Commission has no French-speaking member. In an editorial on September 20 in *La Voix Acadienne* Jacinthe Laforest was quick to point out this oversight: "History tells us that Francophones were delegates to the Charlottetown conference, as well as Anglophones, and that they were full partners....The Capital Commission should include a French-speaking member." (*Our translation*)

In Charlottetown on September 20 and 21 the Commissioner of Official Languages met with Premier Catherine Callbeck and with various members of the French-speaking community, including Robert Arsenault, president of the SSTA, and Donald DesRochers, president of *La Voix Acadienne*. The Commissioner told them that he insists that federal institutions respect the Official Languages Act and place their advertisements in *La Voix Acadienne*. He supported the French-speaking community's call for a representative on the provincial Capital Commission. (A French-speaking person was subsequently appointed.) Since some members of the French-language community had complained about the deterioration of federal services in Prince Edward Island, the Commissioner said he would look into the matter.

Despite its relatively small demographic weight the community of 5,280 French-speaking persons in Prince Edward Island, 4.1% of the population, shows exemplary dynamism. The Société Saint-Thomas d'Aquin represents the community's interests, and a large number of Acadian institutions contribute to its vitality.

Federal services

In 1995 we received 67 complaints about federal services in Prince Edward Island. The Department of Public Works and Government Services was the subject of the largest number of complaints, 12. Strait Crossing Development Inc., which is building the bridge to link the Island with New Brunswick, has contracted to provide service to the public on behalf of the Department but essentially has not done so in French. Also, eight files concerning complaints about failure to publish advertisements in the minority official language press were opened against Air Canada.

At the end of March the federal administration in Prince Edward Island had 2,237 positions, 397 of which (17.7%) required a knowledge of both official languages. Of these, 273 (68.8%) were filled by employees whose first official language is English. Despite the relatively large number of bilingual positions complaints received by the Office of the Commissioner increased considerably, from 52 in 1994 to 67 in 1995.

The number of complaints about Marine Atlantic is still high. Although this institution submitted an action plan to the Office of the Commissioner in 1994 to rectify problems that have persisted for years, the provision of service in both official languages still leaves something to be desired, especially aboard ships making the crossing between Prince Edward Island and the mainland. Even the Department of Canadian Heritage was, unusually, the subject of nine complaints this year. The complainants for the most part objected to the inadequacy of telephone reception in French. The Department took corrective action.

NEWFOUNDLAND

On September 5 the people of Newfoundland voted in favour of the restructuring of education the provincial government had proposed. The government will be able to go ahead with the reform of the denominational school system and initiate procedures with the federal government for revision of Section 17 of the constitutional agreement under which Newfoundland entered Confederation.

The linguistic dimension of the possible reform, however, is not yet clear. The province has two homogeneous French schools and four others with an English-speaking majority which have special classes for French-speaking students. However, the Fédération des parents francophones de Terre-Neuve et du Labrador still has no direct control over the management of French-language education programs, something it has been calling for for years; it is preparing to go to court.

In the August 18 edition of the French-language semi-monthly *Le Gaboteur* editorial writer Jacinthe Lafrance demanded that the reform of education take full account of the educational rights of Francophones. In letters addressed to Premier Clyde Wells and the Minister of Education, Chris Decker, the Commissioner of Official Languages supported this demand, while congratulating his correspondents on certain measures already taken to promote French-language education. During a meeting with French-speaking parents Mr. Decker implied that school reform would indeed include measures to recognize the rights of the French-speaking community to school management. However, as we went to press it was still not certain when this reform would take effect or precisely what provision would be made for Francophone school management.

The Fédération des francophones de Terre-Neuve et du Labrador has prepared a five-year community development plan. The fruit of co-operation among various groups, it is intended as a mobilizing project to "promote ongoing and concerted development of the French-speaking community." (*Our translation*) While education and occupational training

are its priorities, the plan includes other major elements such as the economic development of the French-speaking regions, better government services in French and more radio and television programming in French.

On October 27 representatives of the French-speaking community of Newfoundland and the Department of Canadian Heritage signed a Canada-Community agreement. It is aimed at the long-term development of the community and guarantees the Department's participation in this process.

The 15-km section of road connecting Cape St. George and Mainland is now open. Construction of this segment between the two French-speaking communities was made possible through joint funding by the federal and provincial governments. This long-awaited link avoids the 75-km detour around the Port au Port Peninsula; children in Cape St. George can now attend the French-language school at the Sainte-Anne de Grand'Terre school and community centre. At the official opening of the road on October 12 Premier Clyde Wells said, "This road...is a means of achieving a better society, a better culture and a better economy." (*Our translation*)

The province's 2,680 Francophones, 0.5% of the total population, live mainly on the west coast of the island, in Labrador and in the capital, St. John's. The Fédération des francophones de Terre-Neuve et du Labrador (FFTNL) represents them.

Federal services

The Official Languages Act applies mainly to certain federal offices in St. John and Labrador City, which must provide only so-called "key services" in both official languages. Otherwise, Francophones in the province have access to services in their language only by telephone or letter.

Judging by the number of complaints received it seems that federal institutions subject to the regulations have enough staff to meet their obligations. In 1995 the Office of the Commissioner received few complaints or requests for information about the absence of service in French in federal institutions.

At the end of the 1994-95 fiscal year the federal Public Service in Newfoundland had 5,949 positions, 71 of which (1.2%) required a knowledge of both official languages; 63 of these positions (88.7%) are filled by persons whose first official language is English.

PART IV

Table IV.1
Minority language education programs in public schools

Enrolment in programs designed to provide education in their mother tongue (English in Quebec and French elsewhere) to members of the official language minority groups, grades in which offered and number of schools where offered, for each province and territory, 1970-71, 1994-95 and 1995-96.

	Enrolment	Grades	Number of schools	Province / Territory	Enrolment	Grades	Number of schools
Newfoundland				Saskatchewan			
1970-71	185	K to 10	1	1970-71	765	K to 12	12
1994-95 ^e	256	K to 11	5	1994-95 ^e	1,100	K to 12	13
1995-96 ^e	251	K to 11	5	1995-96 ^e	1,104	K to 12	13
Prince Edward Island				Alberta			
1970-71	796	1 to 12	7	1970-71	n.a.	n.a.	n.a.
1994-95 ^e	631	1 to 12	2	1994-95 ^e	2,810	K to 12	29
1995-96 ^e	634	1 to 12	2	1995-96 ^e	2,854	K to 12	29
Nova Scotia				British Columbia			
1970-71	7,388	P to 12	32	1970-71	0	0	0
1994-95 ^e	3,752	P to 12	19	1994-95 ^e	2,628	K to 12	51
1995-96 ^e	3,738	P to 12	19	1995-96 ^e	2,670	K to 12	52
New Brunswick				Yukon			
1970-71	60,679	K to 12	196	1970-71	0	0	0
1994-95 ^e	45,298	K to 12	131	1994-95 ^e	86	K to 9	1
1995-96 ^e	44,818	K to 12	130	1995-96 ^e	98	K to 9	1
Quebec				Northwest Territories			
1970-71	248,855	K to 11	519	1970-71	0	0	0
1994-95 ^e	97,865	K to 11	365	1994-95 ^e	66	K to 11	3
1995-96 ^e	98,497	K to 11	367	1995-96 ^e	67	K to 11	3
Ontario				TOTAL			
1970-71	115,869	K to 13	381	1970-71	444,942		1,197*
1994-95 ^e	97,173	K to 13	407	1994-95 ^e	257,079		1,054
1995-96 ^e	99,263	K to 13	416	1995-96 ^e	259,454		1,065
Manitoba							
1970-71	10,405	K to 12	49				
1994-95 ^e	5,414	K to 12	28				
1995-96 ^e	5,460	K to 12	28				

^e Estimated figures.

n.a. Data not available.

* Excludes Alberta, for which no figures are available.

Source: Statistics Canada, Elementary and Secondary Education.

SECOND-LANGUAGE INSTRUCTION

1. KEYS TO COMMUNICATION AND HARMONY

Second official language instruction continues to play an important role in Canadian schools. About 3 million children study English or French as second languages out of a total school population of just over 5 million. French immersion enrolments appear to be stable across the country at a little over 300,000 students nationally.

Over the past few decades the learning options have increased. Extended and enriched core programs add to the possibilities, while students, depending on where they live, may be able to begin French immersion programs at early, middle or late entry points. In Quebec there is no “English immersion” option, but a highly successful intensive English program for Francophone students in Grades 5 or 6 is now established in 35 boards. Meanwhile, the number of Canadians who think of themselves as bilingual has grown from 2,800,000 in the 1971 census to 4,500,000 in the 1991 census.

“The fact that the mushrooming growth in [French second-language] enrolments [at the elementary level and particularly in the immersion program] in the 1980s has not been followed by a decline means that we are not talking about a fad,” commented the Commissioner in his address to the National Conference of Canadian Parents for French in Saskatchewan this year. “We are talking about something that responds to a real objective that parents feel on behalf of their children. The fact that enrolments maintain themselves year after year means that the word of mouth from parent to parent, from generation to generation, is positive, and that people whose children have gone through this experience are telling other parents it has been good.”

In confirmation of the Commissioner's words, this year Carleton Opinion Marketing and Public Affairs Surveys Inc. conducted a study on behalf of Canadian Parents for French. The findings were “strongly supportive of language instruction in Canadian schools. Fully three-quarters of English-speaking Canadians believe that learning a second language is an important part of a good education for Canadian students. Moreover, half (52%) feel this is very important.” (In Quebec English as a second language is compulsory for French-speaking students from Grade 4 until the end of high school.)



The report goes on to say that “attitudes towards French immersion are also very positive.” Sixty per cent of respondents said that they feel positively about French immersion. “Clearly,” concludes the summary, “Canadians are largely convinced of the value of learning additional languages.”

As the world becomes more and more a global village, with such links as the Internet bringing not only heads of state but also individuals from around the world into direct communication with one another, Canada will increasingly depend on the language skills of Canadians to keep us in touch with the rest of the world as well as with the whole of our own society. A 1993 UNESCO report entitled *Language Policies for the World of the Twenty-first Century* put it very well: “In the century to come learners should and must be sensitized at a very early age to languages around them and in the world beyond....The management of peaceful conviviality stands a better chance of being promoted by adjusting language learning to the cultural diversity of our society.”

With these kinds of forward-thinking ideas in mind, Canadian Parents for French has been conducting a national information and awareness campaign on the theme “Learning English and French opens doors to tomorrow”. As well, CPF released a promotional video, “Proud of Two Languages”, which showcases young Canadians who are using French as their second language.

Of course, even apart from the implications for international trade and diplomacy, second-language teaching is fundamentally important for Canadians since it allows us to communicate with ourselves. There was a time when English-speaking Canadian students looked to exchange programs that took them to France; now they are as likely to recognize that opportunities to use their French skills exist in their own back yard: at a neighbouring school, a movie theatre or a locality in their own province.

Some significant trends in the field of education are having an effect on the overall environment in which second official language teaching is being conducted. As we reported last year, interprovincial co-operation continues to be a growing factor. Two important interprovincial groups are at work on joint projects: the Maritime Provinces Education Foundation, which includes Nova Scotia, New Brunswick, Prince Edward Island and, unexpectedly, Saskatchewan; and the Western Canadian Protocol, which includes the four western provinces and the two territories. These groups are collaborating on projects to develop standardized testing and standardized curricula.

Over the past decade the research of the National Core French Study, a major multi-year project released in 1989, has been or is being incorporated into day-to-day classroom activities in every province. The main thrust of the study was to emphasize the communicative/experiential model of language teaching in which student interaction is stressed. Curriculum development and teacher training projects across the country have in effect created a small revolution in Canadian second-language teaching.

These innovations have affected not only French second-language teaching. In the French-language section of the New Brunswick educational system the province is implementing a new multimedia communicative English second-language program across the province. In Quebec the English Second Language — Language Arts (ESL-LA) option gives advanced French-speaking learners in secondary schools an enriched program using a variety of resource materials.

Initiatives to standardize examinations have been underway in individual provinces for some time. As educators are reviewing their examination processes overall, they are also working to bring testing into step with new classroom approaches. For example, this year British Columbia is testing the feasibility of a province-wide oral evaluation. It should be noted that in New Brunswick the tradition of the oral proficiency interview is well established.

Far from withdrawing their support for second-language teaching, provincial departments of education from one end of the country to the other are emphasizing the value of second-language learning by introducing new policy initiatives. One of the results of Newfoundland's recent Royal Commission on Education is a proposal for increased requirements for French second-language programs and a higher profile for French-language teaching in the curriculum. Nova Scotia's Department of Education is examining a compulsory French credit in Grade 10. New Brunswick's "Policy 309" has renewed French second-language teaching, while Ontario's Royal Commission on Learning stressed the importance of language learning in the curriculum and supported extended core and immersion programs. Meanwhile, British Columbia has released a new Language Education Policy whereby all students must take a second language as part of the curriculum from Grades 5 to 8. In most cases that language will be French.

Parents' and teachers' organizations also continue to pursue renewed excellence and relevance in second-language teaching. One such group is CAIT (Canadian Association of Immersion Teachers), which presented a new publication entitled *L'immersion et l'interculturalisme : Ouverture à la francophonie et aux autres cultures* (1995) at its annual conference in November. The fifth in a series of materials aimed at developing cultural understanding in immersion programs, it

contains exercises, lessons and themes to get students to recognize and acknowledge similarities and differences and to work together co-operatively. Unlike the first four documents which concentrate mainly on Francophone culture, this one includes other cultures as well.

Finally, the always-active Canadian Parents for French continues to move into new territory. In 1994 CPF resolved to provide more opportunities for youth involvement in French second-language education activities. A volunteer National Youth Program Task Force has been formed. One of its first projects was to elaborate a new annual program that will take the place of the 10-year-old Festival d'art oratoire, in conjunction with the "Encounters with Canada" program held at the Terry Fox Centre in Ottawa. The Centre will reserve 125 spots for children of Canadian Parents for French families across the country each year.

As the Commissioner reminded the delegates of CPF's National Conference, communication is the key to living productively and harmoniously both within Canada and on the world stage. "[T]he barrier of inability to communicate inevitably results in misunderstanding on both sides, and it inevitably results in our not knowing our sister or brother and not being known by that person," he pointed out. Doing away with such barriers, he said, must be our fundamental objective.

2. THE PROVINCES AND TERRITORIES

YUKON

Immersion enrolments continue a steady increase in Yukon, where the program is available from Kindergarten to Grade 12. The choice of available courses continues to grow each year. New French Language, Math and Biology courses were introduced at the Grade 12 level in September 1995. A new core French curriculum has just moved from the pilot stage and will be in place as of September 1996 in Grades 11 and 12.

As reported last year, French second-language (FSL) Internet applications are still being pursued. A spokesperson for the Department of Education refers to this technology as "the way of the future up here."

The Department of Education's French Programs Division is also proud of its French adult conversation classes, which have grown considerably since 1988. A record 325 students have enrolled in the 1994-95 session.

NORTHWEST TERRITORIES

A new core French curriculum, based on the experiential approach, was implemented in September 1994 in all schools offering the program. In-service training for teachers in all jurisdictions was begun in 1994-95 and has been continuing in the 1995-96 school year. At the same time a new French immersion curriculum, adapted from the one in use in Alberta, is being piloted this year.

Canadian Parents for French participated in French Week and hosted a "cultural tour" with Les Bucherons, a folklore group from Edmonton that visited Fort Smith, Hay River and Yellowknife.

BRITISH COLUMBIA

British Columbia is in the process of implementing its new Language Education Policy released in July 1994. As a result of a series of consultations since then, some minor revisions have been made and the new document was to be released in late January 1996. The policy states that "All students, except those with special needs...must take a second language as part of the required curriculum in grades 5-8. The language taught will be chosen by the school district. If an alternative is not selected by the school district, French will be the language taught." The second-language program will be phased in over the next three years in schools where it is not already in place at those grade levels. At the moment French is compulsory only at the Grade 8 level.

Detailed guidelines for parents are being assembled in the form of a handbook which should be published in early 1996.

A revised curriculum guide and resource package are now available in one document, known as an "Integrated Resource Package", for Grades 5 to 12 core French.

A pilot project is now testing the feasibility of a province-wide oral evaluation for core French, since there is yet no oral component to the final examination despite the fact that oral proficiency is being emphasized in the classroom. Also, teachers are being trained in evaluation. At least 20 school districts are involved in the pilot, which applies to Grades 8 to 12.

It is interesting to note in passing that the Vancouver School Board began its first Mandarin immersion pilot program in September 1995. Designed for children who do not speak Mandarin as their first language, it is open to all students in Vancouver.

ALBERTA

Total enrolments in FSL programs have increased over the past year. A new funding framework now provides equitable funding for every pupil across Alberta. Some funding, however, still exists to offset special costs such as travel. Until the 1994-95 school year the provincial government "topped up" the federal portion of funding for immersion and French second-language programs. This money has now been reabsorbed into the block fund, to be redistributed over the entire school population.

A program of studies that follows the recommendations of the National Core French Study is now complete for all nine grade levels and model tests have been developed. Samples of student work (such as examples of written composition appropriate to certain stages of the program) have been developed as outcome models for each level. The Language Services Branch is conducting a needs assessment with French second-language teachers.

Alberta Education is pursuing its development of distance learning of French as a second language at the secondary level. At each grade level the program will have thematic modules and will include a student guide and work book, audio cassettes, videos and a teaching guide.

The immersion curriculum continues to be developed. In association with the Western Canadian Protocol, which includes the four western provinces and the two territories, the mathematics program for Kindergarten to Grade 9 has been completed. French Language Arts has also been completed and the English Language Arts needs of immersion students are being examined. A pan-Canadian science curriculum project is just beginning.

SASKATCHEWAN

Saskatchewan's FSL enrolments continue to grow slightly. The annual conference of Canadian Parents for French was held in Saskatoon this year; it featured a new focus on youth with a youth delegation officially present for the first time.

A secondary level immersion curriculum is being elaborated in collaboration with the other western provinces. It will include expected learning outcomes. The core curriculum, meanwhile, is being re-examined in co-operation with the Maritime Provinces Education Foundation.

Teacher training, to help teachers keep up with changes and new developments, continues. Workshops have been carried out across the province to familiarize teachers with new curriculum materials and to upgrade their methodology in both core and immersion teaching.

The province is in the early stages of setting up computer networking systems for French second-language applications. Students, teachers and administrators can communicate and learn through electronic bulletin board and E-mail systems. In particular, a bulletin board allows teachers to give and receive comments on curriculum pilot projects.

MANITOBA

French second-language enrolments increased slightly this year.

In January 1995 the government of Manitoba released "Renewing Education: New Directions", an action plan for overhauling the school system from Kindergarten to Senior 4 (the equivalent of Grade 12 in other provinces). Based on public consultations held over the past few years, "New Directions", a general policy document to guide educational renewal in Manitoba's public schools, identifies required foundation skill areas and compulsory core subjects. As was the case before this new policy initiative, Basic French remains an optional supplementary subject. School divisions or schools, with the support of parent councils, are mandated to make selections in supplementary subject areas and, if they so wish, can make these subjects compulsory for their students.

To ensure the implementation of "New Directions" the Department is working towards defining learning outcomes for students from Kindergarten to Senior 4 in the four core subjects: languages, mathematics, sciences and social studies. This work is being carried out under the auspices of the Western Canadian Protocol for collaboration in Basic Education. Manitoba is playing a leadership role in the Basic Education in the area of learning outcomes. When learning outcomes have been defined by the consortium the Depart-

ment will integrate them into a revised program of studies. Immersion outcomes and programs of study are being developed and released at the same time as those for English and French First Language.

In the winter of 1994-95 the Department published an orientation document called "A Foundation for Excellence", which describes required schedules for Kindergarten to Senior 4 for English, French and French Immersion programs. In the English stream the document requires 20 minutes a day for core French in Grades 1 to 3, 30 minutes in Grades 4 to 6 and 40 minutes in Grades 7 and 8.

Canadian Parents for French is involved in discussions with the Department concerning implementation of this new policy. As well, CPF sponsored a "cultural tour" by Quebec artist Marc Tardif, who visited schools across the province performing a magic act that uses science concepts.

ONTARIO

Ontario is examining an amalgamation of school boards. In its preliminary report released in September the Ontario School Board Reduction Task Force recommended reducing the number to 82 (15 of them French-speaking) from the current 168. As yet there is no final word on whether amalgamation will go ahead, or what impact this might have on programs such as French immersion.

The Royal Commission on Learning presented its report to the Minister of Education and Training in December 1994. The report stressed the importance of language learning in the curriculum, pointing out in particular that extended and immersion French programs, in which different subjects are studied in French, help students develop high-level skills in the language.

In February 1995 the Ministry of Education distributed the documents "Common Curriculum: Policies and Outcomes, Grades 1 to 9" and "Provincial Standards in Languages and Mathematics" for French second-language students to school boards. The policy document is framed in terms of learning outcomes which describe the knowledge, skills and values that students must achieve at key stages in their schooling. The provincial standards describe student performance of the outcomes, such as the level of complexity of the sentences a student might be expected to form in answer to an oral examination question.

A wide variety of program models and instructional materials continues to be a feature of French second-language programs in Ontario. Instruction in French second-language is a compulsory part of the curriculum; the program starts no later than Grade 4, and optional FSL programs (extended and immersion) follow a variety of models according to local school board decisions.

Canadian Parents for French and the Ontario Modern Language Teachers' Association attended joint meetings with Ministry staff regarding issues and activities in French second-language programs. CPF also initiated a membership survey aimed at increasing member satisfaction and retention. Summer camps were held, as well as one-day Rendezvous events in Brant, Lambton and Oxford counties.

TVOntario, Ontario's public broadcasting television network, celebrated its 25th anniversary this year. TVO (the English language network) and TFO (the French language network) dedicate almost 70% of their schedules to high quality programs and services that support classroom education.

QUEBEC

Last April, in concert with the Estates General on Education, the government of Quebec undertook the most extensive public consultations on education since the Parent Commission of 30 years ago. The Cabinet allotted 15 months to the Commission for these consultations so that the public would have the opportunity to take part in province-wide and regional hearings with the object of determining the most effective ways of improving the education system.

Not surprisingly, the quality of both first- and second-language instruction in Quebec schools was an important concern of many of the presenters. The minority situation of the French language in North America, surrounded as it is by English-speakers, poses a unique challenge to the mastery of French-language skills and heightens concerns about language quality. At the same time, French-speaking parents and educators are worried about the English second-language skills of their graduates. On the other hand, second-language training poses special challenges to the English-speaking community of Quebec as well since they must provide students in their schools with the language skills to function effectively in a predominately French-speaking society.

In its brief before the commission in August the message of the Conseil de la langue française concerning the French school system was clear: place the French language at the heart of the school system, increase the time spent on it, develop a liking for the great authors and improve grammar teaching. The president of the Conseil de la langue

française also spoke in favour of the teaching of a second and even a third language in view of the globalization of the economy. He cautioned, however, that first of all students must master their mother tongue.

Also speaking before the Estates General in August was Alliance Quebec, which reiterated the fact that bilingualism, in general, is a requirement for entry level positions of a skilled or professional nature and for career advancement. One of Alliance Quebec's recommendations to the Commissioners was that "the Department of Education ensure that appropriate courses in French as a second language are available to all English-speaking pupils in all school boards." (See Part IV for more information on Alliance Quebec's brief.)

English as a second language

Meanwhile, as we mentioned last year, several co-operative groups have been established with representatives from concerned school boards and educational institutions to work with the Department of Education to advance projects such as Intensive English, a popular program whereby students in Grades 5 or 6 study English for a five-month period, and the English as a Second Language — Language Arts (ESL-LA) program, which is intended for advanced learners in secondary school.

French as a second language

As mentioned above, there is a wide variety of teaching models for French second-language programs in English schools, including French immersion, which this year celebrated the 30th anniversary of its first Kindergarten class in St. Lambert. The Department of Education is pursuing improvements to these programs according to local needs. As well, Department officials are examining proficiency levels to be set for students in the different FSL programs and how student achievement should be recognized for the purposes of the certification of studies.

Canadian Parents for French continues to be active in Quebec, sending delegates to the Festival d'art oratoire and participating in numerous community information sessions and meetings.

NEW BRUNSWICK

New Brunswick has both an English and a French school system, within which French and English respectively are taught as second languages. Last year's big news in the English stream was a new French second-language "Policy 309", which went into effect in September 1995.

All aspects of the policy are being introduced as announced. These include minimum standards for time on task for both core and immersion programs and the availability of French second-language programs to all students from Grades 1 to 12 throughout the English system. Schools have three years from September 1, 1995, to implement the policy, including teacher training components.

In the immersion programs a parental consultation was held in every school district. The feedback was extremely positive. Alongside an early entry point for immersion (Grade 1), an intermediate entry point at Grade 6 has been instituted for the first time in three school districts. The new policy thus scales down the many versions of French immersion previously available to two. Entry levels at Grades 4 and 8 have been "grandparented", so that students who were already in the system will be able to complete the program they had expected to follow.

As well, the Department of Education has undertaken to make itself even more accountable to parents by issuing a "report card" comparing the expected and actual proficiency results of graduates across the province.

In the French school system the Department is "following right to the letter" a five-year implementation plan (now in its second year) that is generalizing a new English second-language program for Grades 3 to 12 in every school in the province.

The program, which has been developed through an extensive experimental stage over the past decade, relies on a media-based approach to language teaching. There is no set, single textbook; many are used. Equipment and materials such as tape recorders and telephones are being provided to every teacher, along with teacher training. This year 15 groups of teachers attended summer workshops across the province.

The Maritime Provinces Education Foundation has agreed to standardize their programs of study and New Brunswick programs are being revised accordingly. A province-wide Grade 10 language examination is being developed by component. For example, the comprehension section "counts" this year, while speaking and writing, experimental this year, will be in effect next year.

NOVA SCOTIA

Immersion enrolments in Nova Scotia have risen slightly, while more extended core French programs have recently opened. The province still has more demand for immersion than can be accommodated by existing programs. In Nova Scotia students must complete 50% of their required courses in French to obtain an immersion certificate. Core French is

compulsory from Grades 4 to 6. Although it is not compulsory in Grades 7 to 9, most students take it. The Department of Education is currently considering a compulsory French credit in Grade 10.

In the area of core French, Nova Scotia's 1989 program of studies is under review, with many new materials under development. The Grades 4 to 9 programs are now being revised to reflect the new multidimensional approach recommended in the National Core French Study. A core French guide for Grades 4 to 6 will be ready in 1996; new curriculum materials are being published and in-service training is underway. The Grades 7 to 9 curriculum guide is being revised.

In co-operation with New Brunswick, Prince Edward Island and Saskatchewan, the province has nearly finished work on a Grades 10 to 12 core French guide. In-service training and an evaluation of curriculum documents will accompany the guide.

A new middle immersion entry point, at Grade 4, has been added to the province's offerings. The province's largest board brought all Grade 7 immersion students to the Université Ste-Anne for a French week.

Nova Scotia is now undergoing an amalgamation of school boards. It is indicated that a French-language school board will be established. It is not yet clear how the amalgamation will affect the types of programs offered, although Department officials believe that it may be possible to expand some programs following the amalgamation.

PRINCE EDWARD ISLAND

Students in Prince Edward Island have access to early and late immersion programs, as well as to core French. Immersion enrolments alone represent 15% of the school population, one of the highest participation rates in the country.

Following up on the recommendations of a study of the intermediate level, and a similar project carried out at the elementary level, the Department of Education is preparing policies on minimum amounts of time to be given to second official language instruction, as well as the course material that constitutes the immersion program.

A new secondary level core French program (for the second cycle) is now in the pilot stage in schools. This program, which was developed at the regional level, was largely inspired by the findings of the National Core French Study and extends the secondary programs (first cycle) created through the Maritime Provinces Education Foundation. A new French program for late immersion students is also underway.

A six-month student exchange with Quebec took place this year. The Quebec students completed their visit to the Island at the end of November, while the Island students will return the visit in February 1996.

CPF organized three summer camps in the Magdalen Islands in Quebec (which were very well attended) as well as three day-camps and, for the third year, a family camp.

NEWFOUNDLAND

Following up on a recent Royal Commission on Education, in September 1994 Newfoundland held a referendum concerning a revision to Term 17 of the Terms of Union with Canada, which established denominational schooling in the province. By a modest majority the province declared itself in favour of an amendment which would eliminate universal denominational schools, although it would still allow certain denominational schools to exist.

A senior high school consultation report entitled "Directions for Change", a product of the Royal Commission Implementation Secretariat, proposes a realignment of Grades 10 to 12, including new, increased requirements for French second-language programs. The minister has stated that these recommendations will be given high priority.

The report raises the profile of French second-language courses, since it creates a category of study known as "Language Arts", which includes both first- and second-language subjects. (Core French was formerly categorized under "Personal Development".) Under the proposed system students would be required to take 10 Language Arts credits in Grades 10 to 12, of which six would be English courses and the remainder could be first- or second-language courses.

Although at the present time French is not compulsory at any level in Newfoundland, over half the school population (60%) is receiving French second-language instruction, with some 61,000 students enrolled in core French and about 5,000 in immersion programs.

PART V

Table V.1
Second-language enrolments in public schools

		FRENCH IMMERSION			
		TOTAL school population	TOTAL second-language enrolment	 Enrolment 	Schools offering immersion
Newfoundland	1977-1978	156,168	67,791	95	3
	1994-1995 ^f	114,010	67,472	5,054	49
	1995-1996 ^e	110,840	66,125	4,958	48
Prince Edward Island	1977-1978	27,628	16,495	541	7
	1994-1995 ^f	24,219	14,852	3,462	27
	1995-1996 ^e	24,097	14,919	3,481	27
Nova Scotia	1977-1978	198,097	88,991	127	3
	1994-1995 ^f	164,008	93,808	9,965	103
	1995-1996 ^e	165,110	93,889	9,977	103
New Brunswick <i>Students taking English as a second language</i>	1977-1978	60,679	n.a.		
	1994-1995 ^f	45,298	30,534		
	1995-1996 ^e	44,356	29,730		
New Brunswick <i>Students taking French as a second language</i>	1977-1978	101,550	70,629	3,179	34
	1994-1995 ^f	91,298	75,037	16,597	108
	1995-1996 ^e	90,444	74,259	16,425	107
Quebec <i>Students taking English as a second language</i>	1977-1978	1,012,128	678,664		
	1994-1995 ^f	943,269	613,045		
	1995-1996 ^e	936,775	606,280		
Quebec <i>Students taking French as a second language</i>	1977-1978	248,855	17,754 ¹	17,754 ¹	n.a.
	1994-1995 ^f	97,303	33,333 ¹	33,333 ¹	154
	1995-1996 ^e	98,225	33,470 ¹	33,470 ¹	155
Ontario	1977-1978	1,950,308	883,269	12,764	160
	1994-1995 ^f	2,070,594	1,142,629	151,853	1,073
	1995-1996 ^e	2,139,600	1,167,846	155,294	1,098

PART V

ELEMENTARY (Core)

School population having
English as the language
of instruction (French in
New Brunswick and Quebec)

SECOND LANGUAGE
Enrolment %

93,440	33,585	35.9
53,960	32,522	60.3
53,581	31,956	59.6
13,284	7,351	55.3
10,104	5,491	54.3
9,959	5,539	55.6
100,529	30,025	29.9
81,027	39,958	49.3
80,290	40,149	50.0
n.a.	n.a.	n.a.
22,990	11,882	51.7
22,224	11,306	50.9
49,019	29,563	60.3
40,395	34,583	85.6
39,715	34,279	86.3
580,351	214,730	37.0
557,581	237,663	42.6
567,280	233,391	41.1
See Table IV.1 (Minority language education)		
1,221,579	650,136	53.2
1,152,470	794,705	69.0
1,191,706	813,194	68.2

SECONDARY (Core)

School population having
English as the language
of instruction (French in
New Brunswick and Quebec)

SECOND LANGUAGE
Enrolment %

62,453	34,111	54.6
54,740	29,896	54.6
52,050	29,211	56.1
13,171	8,603	65.3
10,022	5,899	58.9
10,023	5,899	58.9
91,545	58,839	64.3
69,264	43,885	63.4
71,105	43,764	61.5
n.a.	n.a.	n.a.
22,308	18,652	83.6
22,132	18,424	83.2
56,930	37,887	66.6
34,306	23,857	69.5
33,842	23,556	69.6
473,402	463,934	98.0
376,575	375,382	99.7
376,142	372,889	99.1
See Table IV.1 (Minority language education)		
612,574	220,369	36.0
669,099	196,071	29.3
693,337	199,359	28.8

PART V

Table V.1 (continued)
Second-language enrolments in public schools

		FRENCH IMMERSION			
		TOTAL school population	TOTAL second-language enrolment	 Enrolment 	Schools offering immersion
Manitoba	1977-1978	221,408	85,619	1,667	13
	1994-1995 ¹	194,686	100,753	19,292	102
	1995-1996 ²	194,120	101,602	19,461	103
Saskatchewan	1977-1978	216,248	53,804	407	2
	1994-1995 ¹	197,352	111,451	10,796	77
	1995-1996 ²	197,820	111,973	10,834	77
Alberta	1977-1978	439,804	111,338 ²	n.a.	n.a.
	1994-1995 ¹	521,507	196,193	28,043	167
	1995-1996 ²	533,240	199,431	28,487	169
British Columbia	1977-1978	527,769	161,110	1,301	15
	1994-1995 ¹	582,778	272,770	28,995	230
	1995-1996 ²	600,840	277,678	29,464	234
Yukon	1977-1978	5,394	2,285 ²	n.a.	n.a.
	1994-1995 ¹	5,753	3,817	693	5
	1995-1996 ²	5,927	4,327	790	5
Northwest Territories	1977-1978	12,717	3,200 ²	n.a.	n.a.
	1994-1995 ¹	16,461	3,908	438	5
	1995-1996 ²	17,050	3,951	443	5
TOTAL	1977-1978	5,178,753	2,240,949 ³	37,835	237
	1994-1995 ¹	5,068,536	2,759,602 ³	308,521	2,100
	1995-1996 ²	5,158,444	2,785,480 ³	313,084	2,131

¹ Includes only French immersion students.

² French immersion not included since it is not available.

³ Includes, for Quebec, "students taking English as a second language" and students enrolled in French immersion.

Note: Elementary is K-6, except Ontario (K-8), British Columbia (K-7) and Yukon (K-7); secondary is the remaining grades.

PART V

ELEMENTARY (Core)

School population having
English as the language
of instruction (French in
New Brunswick and Quebec)

SECOND LANGUAGE
Enrolment %

110,831	42,576	38.4
88,846	48,252	54.3
89,493	48,720	54.4
110,382	4,928	4.5
98,493	55,640	56.5
95,537	55,734	58.3
216,656	52,435	24.2
262,210	87,858	33.5
263,805	89,166	33.8
305,574	75,740	24.8
330,953	141,056	42.6
337,902	143,217	42.4
3,545	1,346	38.0
2,957	2,308	78.1
3,277	2,558	78.1
8,801	2,100	23.9
9,932	2,156	21.7
9,832	2,134	21.7
2,813,991³	1,144,515³	40.7
2,688,928³	1,494,074³	55.6
2,742,377³	1,511,343³	55.1

SECONDARY (Core)

School population having
English as the language
of instruction (French in
New Brunswick and Quebec)

SECOND LANGUAGE
Enrolment %

100,707	41,376	41.1
81,134	33,209	40.9
79,707	33,422	41.9
104,075	48,469	46.6
86,963	45,015	51.8
90,345	45,405	50.3
215,899	58,903	27.3
228,444	80,292	35.1
238,094	81,779	34.3
220,894	84,069	38.1
220,202	102,719	46.6
230,805	104,998	45.5
1,849	939	50.8
1,784	816	45.7
1,762	979	55.6
3,916	1,100	28.1
6,025	1,314	21.8
6,708	1,374	20.5
1,957,415³	1,058,599³	54.1
1,838,558³	957,007³	52.1
1,883,920³	961,059³	51.0

^r Revised figures.

^e Statistics Canada estimate.

n.a.: No figures available.

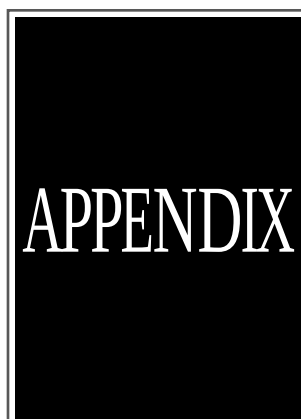
Source: Statistics Canada, Elementary and Secondary Education.

APPENDIX

THE COMMISSIONER'S OFFICE

There are 142 FTEs (Full-Time Equivalents) at the Office of the Commissioner of Official Languages, supporting the Commissioner in his two-fold mandate as Canada's protector of the language rights of individuals and groups and evaluator of the linguistic performance of federal institutions. The Commissioner, like the Auditor General and the Chief Electoral Officer — who, by virtue of their mandates, must be at arm's length from the government in power — reports directly to Parliament. The Commissioner has only the power of recommendation (although he can go to court in support of a complainant who asks him to do so); his most important tool is that of persuasion.

The Policy Branch assists the Commissioner in defining broad policy options and in conducting research, and also provides liaison with central agencies, parliamentary committees and various associations.



The Legal Services Branch provides legal opinions on questions related to the Commissioner's mandate and conducts special legal studies for him. It represents the Office in all court remedy actions to which the Commissioner is a partner.

The Investigations Branch handles complaints and conducts studies which the Commissioner has chosen to undertake on his own initiative. It also co-ordinates the regionalization of complaints handling.

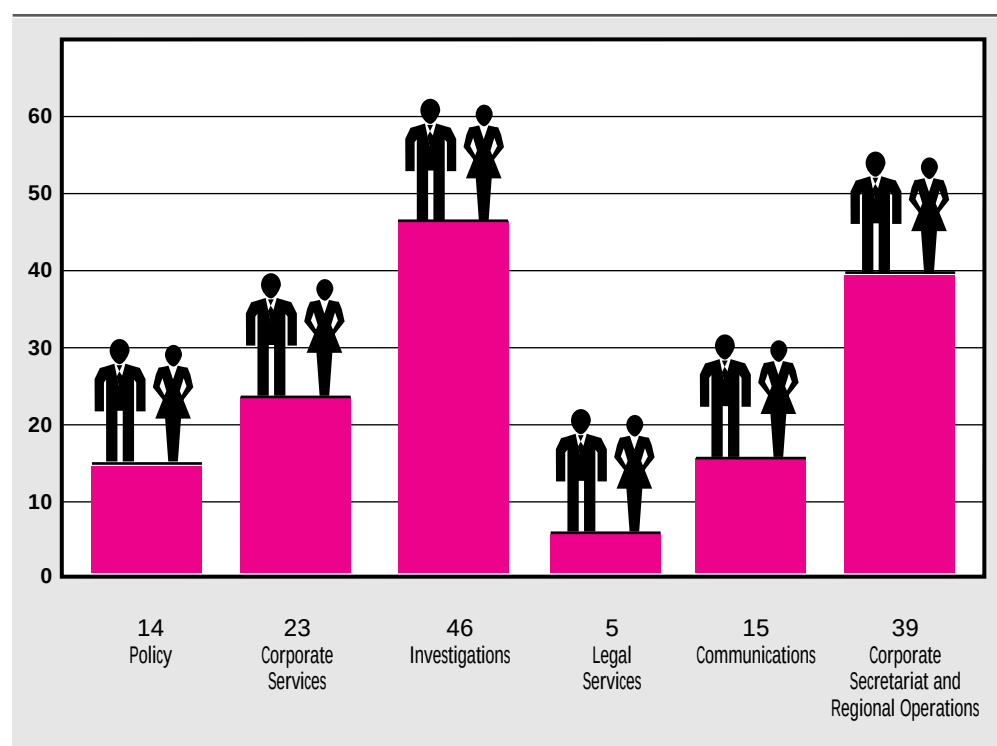
The Corporate Secretariat and Regional Operations Branch plans and co-ordinates the Commissioner's activities in each region of the country. In each of the five regional offices a Commissioner's Representative carries out the whole range of the Commissioner's responsibilities. Each regional team investigates complaints, conducts follow-ups and special studies, provides information to managers on their institutional obligations and evaluates the way in which federal institutions in the regions implement the spirit as well as the letter of the Act. Each team also monitors and reports on trends in its region, carries out a variety of activities with majority and minority official language communities and provides information on the Act and its

regulations to community groups, elected officials, federal public servants, representative associations, business groups and other interested parties.

The Communications Branch assists the Commissioner in informing Canadians about both the spirit and the letter of the Act. It uses a variety of media to explain and increase awareness of the role of the Commissioner and the Official Languages Act and regulations and to communicate a true portrait of linguistic duality to Canadian society.

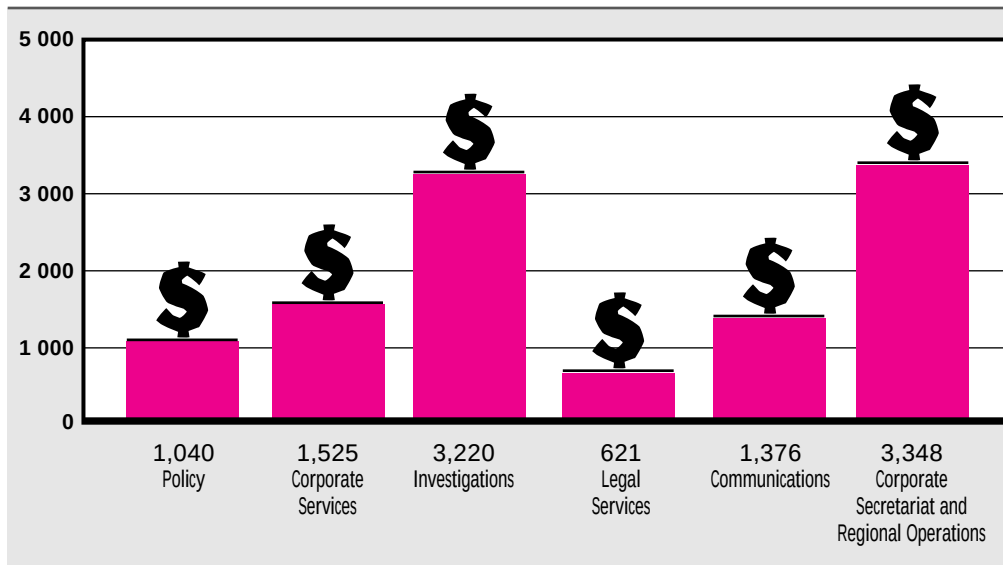
The Corporate Services Branch provides personnel, financial, administrative and informatics services.

Office of the Commissioner of Official Languages
Full-time equivalents 1995-96 (142)

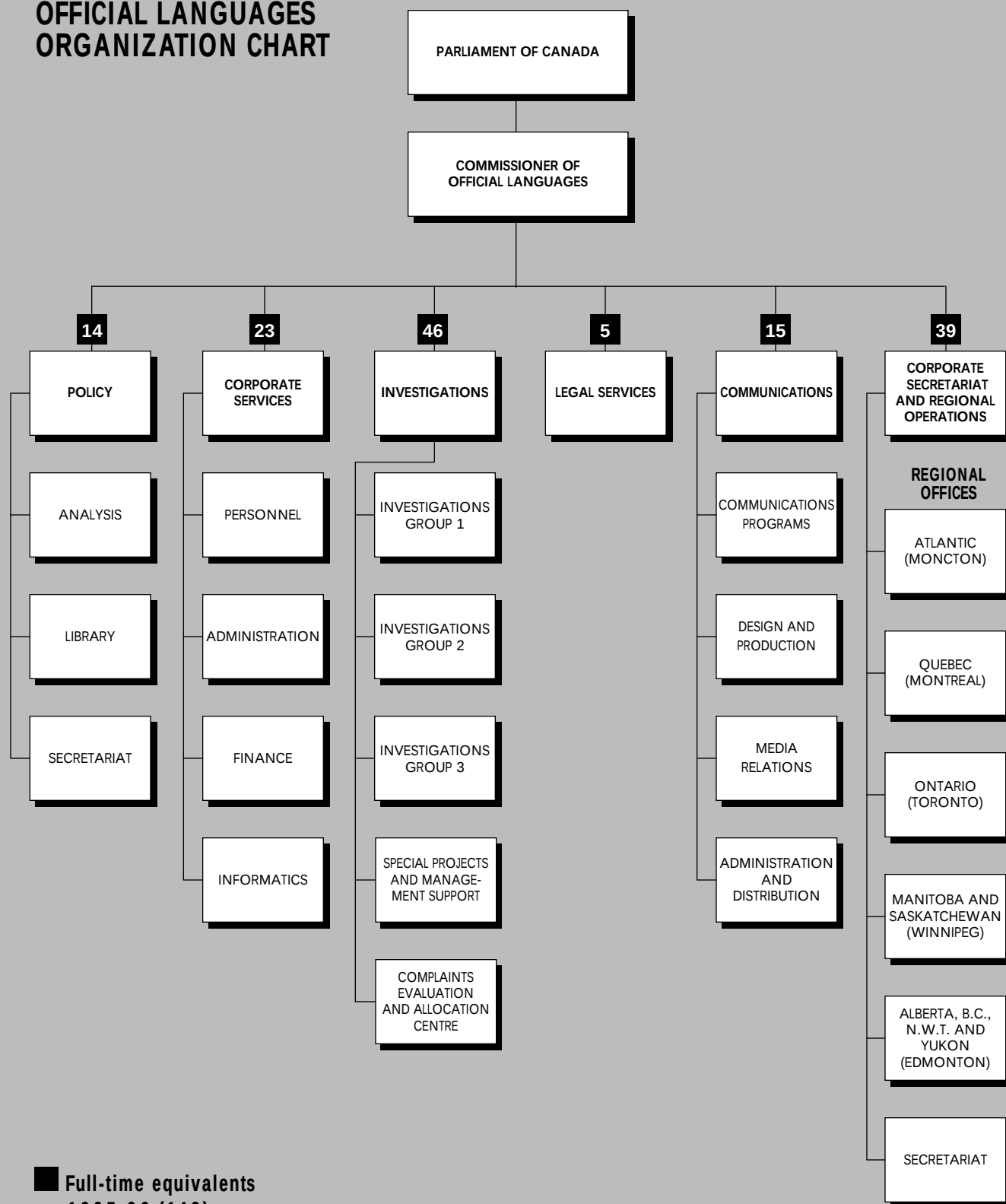


APPENDIX

Office of the Commissioner of Official Languages
Budget (\$000s) 1995-96 (11,130)

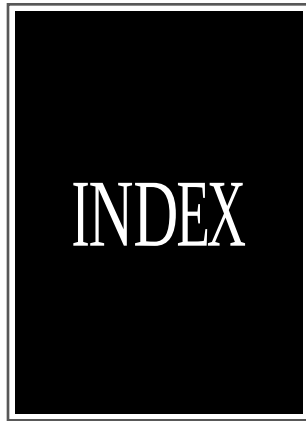


OFFICE OF THE COMMISSIONER OF OFFICIAL LANGUAGES ORGANIZATION CHART



■ Full-time equivalents
1995-96 (142)

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Table III.14
Official languages programs

External programs: Expenditures and personnel for 1994-95 and 1995-96

EXTERNAL PROGRAMS: Provinces, territories and institutions	1994-95 Actual expenditures \$000s	 Personnel	1995-96 Anticipated expenditures \$000s	 Personnel
Canadian Heritage				
• Transfer payments to provinces and territories for language programs	249,613		211,200	
• Transfer payments to official language minority groups	} 47,161		} 36,520	
• Transfer payments for bilingualism development programs				
• Operation expenditures	5,642	83	5,966	81
Fitness and Amateur Sport				
• Contributions to amateur sport associations	—	—	—	—
Commissioner of Official Languages	11,811	167	11,130	142
TOTAL	314,227	250	264,816	223

Source: Treasury Board. To obtain figures for actual expenditures in previous years contact the Treasury Board.