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May 2023

## Capsule #5 : Language rights of the public vs employees’ rights.



Hello,

I am pleased to share with you the new edition of the capsules. In this edition, the objective is to make the difference between the language rights of the public and those of employees.

### What the Act says

Federal institutions’ obligations in matters of communications with and services to the public are different from those relating to language of work.

#### The public’s rights

Part IV of the [*Official Languages Act*](https://laws-lois.justice.gc.ca/eng/acts/o-3.01/page-2.html) *(*the *Act)* focuses on communications with and services to the public and requires that each bilingual-designated office serve members of the public in the official language of their choice.

[These offices](https://www.tbs-sct.gc.ca/burolis/search-recherche/result-resultat-fra.aspx?LanguageObligation=-1&Region=-1&Institutions=SVC&OfficeNumber=&Keywords=&GoCTemplateCulture=en-CA) are established according to demand, location and/or the type of services. **They may be located in a region designated as bilingual for language-of-work purposes or in a unilingual region.**

The [Directive on Official Languages for People Management](https://www.tbs-sct.canada.ca/pol/doc-eng.aspx?id=26168) (the Directive) requires that personal and central services be provided in the preferred official language of employees (clients) whose position is located in a region designated as bilingual for language-of-work purposes (section 6.1.7).

#### Employees’ rights

Part V of the *Act* deals with the language of work. In regions designated as bilingual for language-of-work purposes, federal institutions have the duty to ensure that the work environment is conducive to the effective use of French and English and accommodate the use of either language by its employees.

Section 6.1.6 of the Directive requires that all possible measures be taken to allow employees occupying a position in a region designated as bilingual for language-of-work purposes to use the official language of their choice for both oral and written communication.

#### Precedence of the public’s rights over employees’ rights

Lastly, the public’s right to communicate with and receive services in the official language of the public’s choice takes precedence over the language-of-work rights of employees (section 6.2.5 of the [Policy on Official Languages](https://www.tbs-sct.canada.ca/pol/doc-eng.aspx?id=26160)).

### Tips and tricks

To decide which official language to use, first remember that Part IV of the *Act* takes precedence over the right of employees to communicate in the official language of their choice.

That means that an employee in a bilingual-designated office must communicate and offer services in the official language chosen by the member of the public, notwithstanding their own official language preference and the linguistic designation of the region.

Similarly, in regions designated as bilingual for language-of-work purposes, employees have the right to receive personal and central services in the official language of their choice regardless of whether the services are provided by an employee in a region designated as bilingual or unilingual for language-of-work purposes.

In short, employees in bilingual regions can exercise their right to communicate in the official language of their choice except when they are serving clients.

There is no obligation for employees in unilingual regions to receive personal and central services in the official language of their choice. Services are offered in the language of their region.

### Resource corner

* To see which offices are designated as bilingual for services to the public, see the [Burolis](https://www.tbs-sct.gc.ca/burolis/search-recherche/result-resultat-fra.aspx?LanguageObligation=-1&Region=-1&Institutions=SVC&OfficeNumber=&Keywords=&GoCTemplateCulture=en-CA) directory.
* See the [List of Bilingual Regions of Canada for Language-of-Work Purposes](https://www.canada.ca/en/treasury-board-secretariat/services/values-ethics/official-languages/list-bilingual-regions-canada-language-of-work-purposes.html).
* For a definition of the term “members of the public,” see Appendix 2 of the [Directive on Official Languages for Communications and Services](https://www.tbs-sct.canada.ca/pol/doc-eng.aspx?id=26164).
* See the [Fact sheets on official languages](https://intranet.tpsgc-pwgsc.gc.ca/rh-hr/LO-OL/outils-gest-mger-tools/fiches-information-fact-sheets-eng.html#a14) for information on personal and central services.

### Challenge yourself!

If your position is in a bilingual-designated region, do you exercise your right to request personal and central services in the official language of your choice?

Do you provide services to the public? If so, have you taken the course on the [Active Offer of Service](https://pspc.sabacloud.com/Saba/Web_wdk/CA1PRD0014/index/prelogin.rdf) available on Alto?

Would you like to find out more about your rights and obligations? Take the [Official Languages and You](https://pspc.sabacloud.com/Saba/Web_wdk/CA1PRD0014/index/prelogin.rdf) course available on Alto.

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April 2023

## Capsule #4: The language of supervision



Hello:

For this edition of the *Official Languages Co-champions’ Capsule*, the focus is on the rights and obligations with regards to language of supervision.

### What the Act says

According to the [Directive on Official Languages for People Management](https://www.tbs-sct.canada.ca/pol/doc-eng.aspx?id=26168) (6.1.2), managers and supervisors are responsible for supervising employees who occupy bilingual or either/or positions in bilingual regions in the employees’ preferred official language.

Employees who occupy unilingual positions in bilingual regions can also choose the official language in which they want to be supervised **provided that** their manager occupies a bilingual position in a bilingual region. Otherwise, the language of supervision is the language of an employee’s position.

In unilingual regions, the language of supervision is the region’s language of work, that is French in Quebec and English elsewhere in Canada, regardless of the linguistic identification of an employee’s position.

### Tips and tricks

#### How do I determine my employees’ preferred official language?

* By asking them what their preference is when meeting with each of them for the first time.
* Employees’ preferred official language applies to both written and verbal communication. They have the right to choose the same official language for both modes of communication or a different official language for each mode.

#### How do I supervise employees in their preferred official language?

* By ensuring that all communication aimed at each employee, whether verbal or written, is in their official language of choice.
  + Communication may include, but is not limited to:
    - Assigning tasks;
    - Providing advice, guidance and feedback to employees;
    - Approving training, leave;
    - Completing employee performance evaluations.

#### Which official language should be used when assigning tasks that require answering a client?

* Managers must assign tasks based on employees’ preferred official language, if applicable. (Refer to the section called [What the Act says](https://127gc-my.sharepoint.com/personal/isabelle_lessard_tpsgc-pwgsc_gc_ca/Documents/Communication%20-%20Messages%20clés/Capsule-langue%20de%20supervision/Capsule%20des%20co-champions%20des%20langues%20officielles-Langue%20de%20supervision_TG_EN_FINAL.docx#_Ce_que_dit) for more details.)

\*\*Managers **are not** responsible for translating clients’ request into employees’ preferred official language.

Clients’ right to receive services in the official language of their choice outweighs employees’ right to work in their preferred official language.

### Resource corner

* See the [eager beavers](https://intranet.tpsgc-pwgsc.gc.ca/rh-hr/LO-OL/affichecastors-beaverposter02-eng.html#t4) for depictions of issues that could arise if the official language for supervising employees is not known or respected. Please note that the text version of the image below is available on the [web page](https://intranet.tpsgc-pwgsc.gc.ca/rh-hr/LO-OL/affichecastors-beaverposter02-eng.html#t4).



* To understand the six supervision scenarios possible, see [Who Chooses the Language of Supervision](https://intranet.tpsgc-pwgsc.gc.ca/rh-hr/LO-OL/trav-lang-work/supervision-langue-language-eng.html) on the intranet.
* For more information on Public Services and Procurement Canada’s language of work guidelines, including language of supervision, see the [Official Languages Guidebook](https://intranet.tpsgc-pwgsc.gc.ca/rh-hr/LO-OL/guide-langues-officielles-official-languages-guidebook-eng.html#a41).

### Challenge yourself!

As a manager, have you taken the time to ask each of your employees in which official language they want to be supervised?

As an employee, have you had the opportunity to tell your manager or supervisor in which official language you want to be supervised?

The Official Languages Program is here to help you. Please send your questions or comments to [tpsgc.questionslo-olqueries.pwgsc@tpsgc-pwgsc.gc.ca](mailto:tpsgc.questionslo-olqueries.pwgsc@tpsgc-pwgsc.gc.ca).

You can also contact the email address above for an accessible version of this capsule.

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# **February 2023**

## Capsule #3: The simultaneity of official languages in training and service offers

Hello,

For the first Capsule of 2023, we would like you to be aware of what we mean by the **simultaneity** of official languages in training and service offers.

### What the Act says

In Section 6.2.2 of the [Policy on Official Languages](https://www.tbs-sct.canada.ca/pol/doc-eng.aspx?id=26160), it is stated that designated bilingual offices must respect the equal status of both official languages by making communications and services available to the **public** in both official languages **simultaneously**.

The [Policy on Official Languages](https://www.tbs-sct.canada.ca/pol/doc-eng.aspx?id=26160) (6.3.3) also states that in all designated bilingual regions, all measures must be taken to enable the **institution’s employees** to work and receive personal and central services, as well as training and professional development, in the official language of their choice.

### Tips and Tricks

#### Members of the public

The way to indicate that services and communications are available in both official languages is through an [active offer](https://intranet.tpsgc-pwgsc.gc.ca/rh-hr/LO-OL/outils-empl-tools/offre-active-offer-eng.html). Did you know that this is a requirement of the [Official Languages Act](https://laws-lois.justice.gc.ca/eng/acts/o-3.01/page-2.html)? (section 28)

Whether it is by a verbal “Hello/Bonjour” or visual ****

the **simultaneity** of the offer enables members of the public to exercise their right to receive the service in the official language of their choice.

#### Federal public servants

A **simultaneous** offer is also an effective measure to enable employees to work and receive personal and central services, as well as training and professional development, in the official language of their choice. It’s important to remember that in addition to being **simultaneous**, the versions must be of equal quality in both official languages.

#### **Consider the following scenario**

A message in both official languages is sent to employees in a sector where some of them hold a position located in a designated bilingual region for language-of-work purposes. The purpose of this message is to inform them of a training session/service and it specifies the date and the language in which it will be provided. Regarding the availability in the other official language, the message indicates that the information will be provided at a later date.

#### Question

* Does this training/service offer allow employees to exercise their right to receive the training/service in the official language of their choice?
* The absence of a **simultaneous** offer imposes one official language to the detriment of the other official language and thus infringes on the employees’ rights to work in and choose the official language of their choice for training and services. Note that the absence of equal quality in both official languages will have the same repercussions.

### Resource corner

* To confirm whether your office has linguistic obligations toward members of the public, please visit the [Burolis](https://www.tbs-sct.gc.ca/burolis/search-recherche/search-recherche-fra.aspx?GoCTemplateCulture=en-CA) site.
* To be aware of the designated bilingual regions, aside from the National Capital Region, please refer to the [List of Bilingual Regions of Canada for Language-of-Work Purposes](https://www.canada.ca/en/treasury-board-secretariat/services/values-ethics/official-languages/list-bilingual-regions-canada-language-of-work-purposes.html).
* Learn about the various services of the [Translation Bureau](https://gcintranet.tpsgc-pwgsc.gc.ca/bt-tb/index-fra.html) that can help you strengthen the **simultaneity** of training/service offers while ensuring the equal quality of both official languages.
* Use one of PSPC’s [MsTeams backgrounds](https://gcdocs.gc.ca/tpsgc-pwgsc/llisapi.dll?func=ll&objId=415930773&objAction=browse&viewType=1) or one of the [Office of the Commissioner of Official Languages](https://www.clo-ocol.gc.ca/en/resources/public-servants) to illustrate the **simultaneity** of services in both official languages. Simply download the image to your computer and follow these [steps](https://support.microsoft.com/en-us/office/change-your-background-for-a-teams-meeting-f77a2381-443a-499d-825e-509a140f4780?ui=en-US&rs=en-CA&ad=CA).

### Challenge yourself!

How will you plan your training/service offers so that they are produced **simultaneously**? Please share your ideas with us at [tpsgc.questionslo-olqueries.pwgsc@tpsgc-pwgsc.gc.ca](mailto:tpsgc.questionslo-olqueries.pwgsc@tpsgc-pwgsc.gc.ca).

For an accessible version of the *Official Languages Co-Champions’ Capsules*, please contact us at [tpsgc.questionslo-olqueries.pwgsc@tpsgc-pwgsc.gc.ca](mailto:tpsgc.questionslo-olqueries.pwgsc@tpsgc-pwgsc.gc.ca).

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# **December 2022**

## Capsule #2: Communications in working groups

Hello:

On November 10, we shared the first [edition](https://gcdocs.gc.ca/tpsgc-pwgsc/llisapi.dll?func=ll&objaction=overview&objid=404616342) of the *Official Languages Co-champions’ Capsule* on bilingual meetings.

Today, we’re introducing the theme of communications in working groups.

* [What the Act says](https://gcdocs.gc.ca/tpsgc-pwgscdav/nodes/418035349/Capsule%20des%20co-champions%20des%20LO-communication%20groupe%20de%20travail_.docx#_What_the_Act)
* [Tips and Tricks](https://gcdocs.gc.ca/tpsgc-pwgscdav/nodes/418035349/Capsule%20des%20co-champions%20des%20LO-communication%20groupe%20de%20travail_.docx#_Tips_and_Tricks)
* [Resource corner](https://gcdocs.gc.ca/tpsgc-pwgscdav/nodes/418035349/Capsule%20des%20co-champions%20des%20LO-communication%20groupe%20de%20travail_.docx#_Resource_corner)
* [Challenge yourself!](https://gcdocs.gc.ca/tpsgc-pwgscdav/nodes/418035349/Capsule%20des%20co-champions%20des%20LO-communication%20groupe%20de%20travail_.docx#_Challenge_yourself!)

### What the Act says

The [Directive on Official Languages for People Management](https://www.tbs-sct.canada.ca/pol/doc-eng.aspx?id=26168) (6.1.6) states that managers and supervisors are responsible for “taking all possible measures to create and maintain a work environment that allows employees to use the official language of their choice in bilingual regions for both oral and written communication purposes.”

Did you know that this means that employees whose positions are located in [regions designated as bilingual](https://www.canada.ca/en/treasury-board-secretariat/services/values-ethics/official-languages/list-bilingual-regions-canada-language-of-work-purposes.html) have the right to communicate in the official language of their choice when participating in working groups?

### Tips and Tricks

To establish a working group that respects employees’ linguistic rights, here are some questions employees should ask themselves:

1. **Are the members of the working group employees from a bilingual region?**

* **Yes.** The members of the working group must establish a language of work. See question 2.
* **No.** The language of work is that of the region, meaning French in Quebec and English elsewhere in Canada.
* **Some of them.** All communications must be bilingual and for written documents, distributed simultaneously and of equal quality.

1. **Is the preferred official language the same for all members of the working group?**

* **No**. All communications must be bilingual and for written documents, distributed simultaneously and of equal quality.
* **Yes**. An agreement among members of the working group to use one official language for communications and drafts is possible.
* **I don’t know**. All communications must be bilingual.

**3. Will consultations take place with individuals outside of the working group?**

* **Yes.** All communications must be bilingual and for written documents, distributed simultaneously and of equal quality.
* **No.** Communication follows the rules in question 1.

1. **Is the preferred official language for the individuals consulting the working group’s final products already known?**

* **Yes.** The products should be sent in the recipient’s preferred official language.
* **No.** The products should be available simultaneously in both official languages, and of equal quality.

**Think about it!** “All communications” includes discussions among members of the working group and written documents.

Just like when holding bilingual meetings, communication in both official languages offers advantages to all participants:

* Optimal contribution from all participants, as most are more productive in the official language of their choice.
* An inclusive and respectful work environment.
* Opportunities to improve official second language proficiency by being exposed to both official languages.

### Resource corner

* Check out the [official languages fact sheet](https://intranet.tpsgc-pwgsc.gc.ca/rh-hr/LO-OL/outils-gest-mger-tools/fiches-information-fact-sheets-eng.html#a22) on working groups.
* Refer to the Treasury Board Secretariat’s [Communication between regions table](https://gccollab.ca/file/download/1587579) (see scenario C).
* The Treasury Board Secretariat has answers to your [questions](https://www.canada.ca/en/treasury-board-secretariat/services/values-ethics/official-languages/official-languages-act-and-you/official-languages-frequently-asked-questions.html) on creating a work environment conducive to the use of both official languages.

### Challenge yourself!

The next time you’re in a working group, what will you do to make the work environment conducive to the effective use of both official languages? If you want to share your experiences with us, send us an email at [tpsgc.questionslo-olqueries.pwgsc@tpsgc-pwgsc.gc.ca](mailto:tpsgc.questionslo-olqueries.pwgsc@tpsgc-pwgsc.gc.ca).

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# 

# **November 2022**

## Capsule #1: Bilingual meetings

Hello:

We are pleased to present to you the first edition of the *Official Languages Co-champions’ Capsule*: an initiative that shines a spotlight on official languages requirements.

Each capsule will be divided into four sections:

1. an explanation of the official languages requirements
2. tips and tricks
3. a resource corner
4. a challenge to take up

The topic for this inaugural edition is bilingual meetings.

### What the Act says

In [regions designated bilingual](https://www.canada.ca/en/treasury-board-secretariat/services/values-ethics/official-languages/list-bilingual-regions-canada-language-of-work-purposes.html), a work environment that is conducive to the effective use of both official languages must be created. This means, among other things, that meetings must be bilingual.

Consequently, the [Directive on Official Languages for People Management](https://www.tbs-sct.canada.ca/pol/doc-eng.aspx?id=26168) (6.1.3) states that managers and supervisors are responsible for taking all necessary measures to enable employees to use the official language of their choice in meetings.

In unilingual regions, meetings are held in the language of work of the region, meaning French in Quebec and English elsewhere in Canada. However, even if the meeting is organized by a team located in a unilingual region, if there are participants from a bilingual region, they must be invited to use the official language of their choice.

### Tips and tricks

#### Before the meeting

* Send the invitation in both official languages stating that the meeting will be bilingual.
* Attach all documents needed for the meeting simultaneously in both official languages.
* Appoint a co-chair if the person chairing the meeting would like some support to facilitate a bilingual meeting.
* If you are planning a presentation during the meeting, make sure the person in charge of the presentation knows their official languages obligations.
  + This includes the obligation to simultaneously provide documentation of equal quality in English and French.
  + If the person giving the presentation is unable to fulfill their language obligations, steps must be taken to ensure participants’ rights are respected. For example, they can use a co-presenter or ask the person chairing the meeting to help.

#### During the meeting

The person chairing the meeting must do the following:

* Make the opening remarks in both official languages.
* Tell participants at the start of the meeting that they can speak in the official language of their choice.
* Summarize what participants say throughout the meeting in the other official language.
* Switch from one official language to the other and ensure a balance between the two languages.

As participants:

* Speak in the official language of your choice: it’s your right!
  + The presence of unilingual individuals does not take away your right to use the official language of your choice.

#### After the meeting

* Provide meeting minutes of equal quality in both official languages simultaneously.

### Resource corner

* Meet our eager beavers!



* Consult the intranet page: [How to chair a bilingual meeting](https://intranet.tpsgc-pwgsc.gc.ca/rh-hr/LO-OL/trav-lang-work/presider-reunion-billingue-chair-billingual-meeting-eng.html)
* Want to see an example of a bilingual meeting? Watch this video from the Office of the Commissioner of Official Languages, [Effective practices for chairing bilingual meetings - YouTube](https://www.youtube.com/watch?v=4JLYtPhqpJQ).

### Challenge yourself!

Now it’s your turn! What are you going to do to ensure that your next meetings, when they must be, are bilingual from start to finish? Share your experiences with us at [tpsgc.questionslo-olqueries.pwgsc@tpsgc-pwgsc.gc.ca](mailto:tpsgc.questionslo-olqueries.pwgsc@tpsgc-pwgsc.gc.ca).

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