



# The OL Connection

## Special Edition 2024

In this edition:

- Collection of Institutional Best Practices for Establishing Language Requirements of Positions
- Glossary on Section 91 of the *Official Languages Act* – Language Requirements of Positions
- Other resources

## About this edition

This special edition of the OL Connection focuses exclusively on Section 91 of the [Official Languages Act](#) (OLA). It offers a suite of tools that will help you better understand and define language requirements.

Section 91 of the OLA addresses the obligation to objectively establish official languages requirements for fulfilling the duties of positions in federal institutions. The language requirements – whether the position is bilingual and the level of second language proficiency required, if applicable – must therefore be determined objectively according to the duties, functions and responsibilities of the position.

Section 91 of the OLA reads:

**"Nothing in this Act authorizes the application of official languages requirements to a particular staffing action unless those requirements are objectively required to perform the functions for which the staffing actions is undertaken."**

The importance of Section 91 stems from the [Public Service Employment Act](#), which states that language skills are essential qualification skills, along with other key skills necessary to perform the duties of a position. Thus, to ensure that a person occupying a position has the language skills required to fully and adequately perform the duties of the position, the linguistic identification and the establishment of language requirements must be done objectively. The requirements of Section 91 of the OLA enable federal institutions to fulfill all their official languages obligations by ensuring that the linguistic identification of their positions reflects the duties and tasks related to the positions.

To support you in the important task of providing guidance on the establishment of language requirements, this newsletter contains a showcase of new tools developed by the Official Languages Centre of Excellence (OLCE) as well as other resources related to Section 91.

We hope that these new tools will be of great use to you in your advisory and support role when managers and human resources specialists come to you for advice on establishing language requirements.

## Toolbox

### Collection of Institutional Best Practices for Establishing Language Requirements of Positions



Looking for a best practice to help you understand how to effectively establish the language requirements of positions? We are pleased to offer you this collection of institutional [best practices](#).

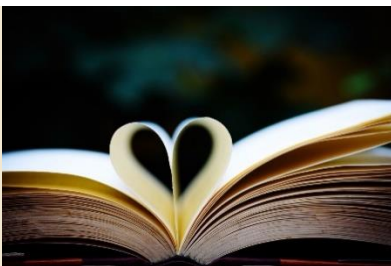
This collection of existing institutional tools and best practices for defining the language requirements of positions was developed to support federal institutions in respecting their obligations related to Section 91 of the *Official Languages Act*. Institutions can take inspiration from these practices to improve their existing practices or adapt them to their needs.

In this online collection, you will find a suite of some thirty best practices, ranging from guidelines to presentations, and including forms, frequently asked questions, analysis grids, reports and training material.

We want to thank the federal institutions that contributed to this document:

Agriculture and Agri-Food Canada, Canada Border Services Agency, Canada Revenue Agency, Canadian Heritage, Correctional Service Canada, Employment and Social Development Canada, Environment and Climate Change Canada, Justice Canada, National Defence, National Research Council Canada, Elections Canada, Public Services and Procurement Canada, Royal Canadian Mounted Police, Shared Services Canada and Statistics Canada.

### Glossary on Section 91 of the *Official Languages Act* – Language Requirements of Positions



This [glossary](#) on Section 91 of the *Official Languages Act* has been developed to help you understand, from an official languages perspective, common terms relating to the establishment of language requirements.

Definitions are derived from Treasury Board policy instruments, existing glossaries or the Treasury Board of Canada Secretariat's Official Languages Centre of

Excellence. The glossary includes about forty terms.

We encourage you to regularly use this new tool and to promote it to others in your institution who could benefit from it, such as managers and human resources specialists.

### Other resources



#### [Determining the Linguistic Profile of Bilingual Positions](#)

If you're a manager or supervisor with a bilingual position to staff, this resource will help you determine what level of second language proficiency may be required.

#### [Official Languages Decision Tree for Staffing Executive Positions](#)

This tool facilitates decisions on staffing executive positions (EX-02 to EX-05 or equivalents) by considering the language requirements of the positions to be staffed.

#### [Frequently asked questions: non-imperative staffing](#)

What you need to know about the application of non-imperative staffing and the obligations it imposes on federal institutions.

### [Section 91 of the Official Languages Act](#)

A short article reminding us of the fundamentals of Section 91 and providing examples of the wrong reasons often cited for changing the language requirements of a position.

### [Standardized \(or generic\) job descriptions](#)

A short article that attempts to debunk the belief that the same standardized job description for several positions automatically implies the same language requirements for all those positions.



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Questions or comments? E-mail us at [OLCEInformationCELO@tbs-sct.gc.ca](mailto:OLCEInformationCELO@tbs-sct.gc.ca).

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