



Frequently Asked Questions
as guidance to the amendment of the
Directive on Official Languages for People Management

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1- Why is the Directive being amended?

Official languages and accessibility rights are key objectives in Canada's public service. The amendment of the [Directive](#) extends to EX-02 to EX-05 positions an accommodation measure that is already available to all other positions. It allows employees with an impairment that prevents them from learning their second official language to be exempted from language requirements, while safeguarding bilingualism in the public service by ensuring that federal institutions take measures to respect the language rights of members of the public and of employees.

2- What has changed?

Appendix 2 of the [Directive](#) has been amended to allow the use of non-imperative staffing for **any** EX-02 to EX-05 positions when specific criteria are met.

[NEW] (Persons with disabilities) When administrative measures can be put in place, imperative staffing is not mandatory for EX-02 to EX-05 positions or their equivalent when a candidate has received an exclusion for a medical reason confirming a long-term or recurring physical, mental or learning impairment that prevents them from attaining, through language training, including with accommodation, the required second official language proficiency. Measures must be taken to ensure the language requirements of the position are fulfilled.

3- Does this change apply to EX-02 to EX-05 equivalent positions?

The amendment applies to EX-02 to EX-05 positions and their equivalents.

4- What do federal institutions have to do if they want to use this new provision?

Federal institutions should review the tasks of the position being staffed and determine if administrative measures can be put in place to ensure that official language requirements can still be met. If administrative measures can be put in place, the institution can use this new provision.

As an exclusion for a medical reason is needed prior to appointment, institutions must confirm that the candidate has obtained an exclusion from the [Public Service Commission](#) before appointment.

When advertising a staffing process that mentions this new provision, institutions can use a statement similar to the one below.

The following will be applied / assessed at a later date (essential for the job):

Possibility of a non-imperative appointment if the individual to be considered for appointment has already received an exclusion for a medical reason.

5- What are administrative measures?

Administrative measures are steps taken to ensure that official languages obligations are met when the incumbent of a position does not have the second official language competencies required for the position. Through administrative measures an institution ensures that all tasks and duties that would normally be carried out by the incumbent in the second official language are conducted in that language using other means. This includes, in particular, the right of employees to be supervised in the language of their choice. Examples of administrative measures are:

- Supervisory duties shared with a bilingual Executive at the same level
- Collaboration with management team members who have the required second official language competencies
- Efficient translation of documents or interpretation during meetings

6- Has the Public Service Official Languages Exclusion Approval Order (PSOLEAO) changed?

No, the PSOLEAO has not changed. The Directive was changed to allow non-imperative staffing of EX-02 to EX-05 or equivalent positions, giving these positions access to medical exclusions currently available under the PSOLEAO. Please visit the [PSOLEAO webpage](#) for more information or contact cfp.delo-eao.psc@canada.ca

Questions?

Contact the [Official Languages Centre of Excellence](#)