



# The OL Connection

**July 2024**

In this edition:

- Frequently Asked Questions (FAQ) on Supervisory Position Requirements
- Official Languages Accountability and Reporting Framework
- Tabling of the Annual Report on Official Languages 2022–23
- New! Changes to the investigation process at the Office of the Commissioner of Official Languages
- Update on the Official Languages Regulations Reapplication Exercise (OLRRE)
- Language Training Framework
- New Tool - Bank of pre-translated messages for communications in emergency or crisis situations
- Protecting interpreters in virtual and hybrid mode
- Recovery of fees for requests for exclusions on medical grounds

## Headlines

### **Frequently Asked Questions (FAQ) on Supervisory Positions Requirements**

As you may be aware, the Treasury Board of Canada Secretariat is currently working on a proposed policy amendment stemming from a commitment made in the Government's [official languages reform document](#) that would increase the minimum second language proficiency requirements for bilingual positions responsible for the supervision of employees in bilingual regions (the CBC initiative).

While the CBC initiative has yet to be approved by the President of the Treasury Board, the Official Languages Centre of Excellence (OLCE) has received numerous questions from institutions on the implementation and impact of the proposed initiative. To address these questions, the OLCE has prepared an [FAQ document](#) that may be a useful resource for Persons Responsible for Official Languages (PROL) and Official Languages Champions.

Questions on official languages should be directed to an institution's PROL. Should the PROL need assistance in responding, they are invited to contact the OLCE through our mailbox: [OLCEInformationCELO@tbs-sct.gc.ca](mailto:OLCEInformationCELO@tbs-sct.gc.ca).

### **Official Languages Accountability and Reporting Framework**

We are pleased to announce that a new [Official Languages Accountability and Reporting Framework](#) is now available on-line.

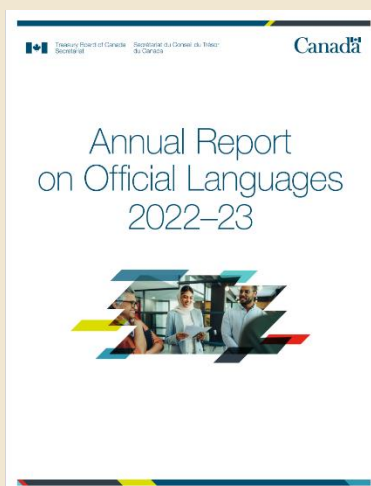
This new framework is one of the administrative measures proposed in the 2021 white paper [English and French: Towards a substantive equality of official languages](#)

[in Canada](#). The goal is to orient federal measures on official languages and provide a framework for the application of the modernized *Official Languages Act*.

Specifically, the Framework clarifies and reiterates the roles and responsibilities of key actors in official languages governance - both across government and within federal institutions – and articulates expectations with respect to accountability. It expands upon and replaces the Official Languages Accountability and Coordination Framework published in 2003.

The Framework is also a reference that can assist in the establishment of your organization's own official languages governance framework. We invite you to share it with all levels of management within your organization and include it as a reference for decision-makers and official languages practitioners in your organization.

## Tabling of the Annual Report on Official Languages 2022–23



We are pleased to inform you that the President of the Treasury Board tabled in Parliament the 35th [Annual Report on Official Languages](#) on June 17, 2024, pursuant to Section 48 of the *Official Languages Act* (the Act).

The report provides an account of the governance and implementation of the official languages programs in all federal institutions; it addresses Part IV (Communications with and Services to the Public), Part V (Language of Work) and Part VI (Participation of English-speaking and French-speaking Canadians) of the Act. It references work accomplished since royal

assent of the modernized Act in June 2023. The new Act gives Treasury Board an enhanced role in monitoring and auditing federal institutions with respect to their official languages obligations, including the taking of positive measures as provided for in Section 41 of Part VII (Advancement of Equality of Status and Use of English and French) of the Act. The report also underlines the approval of a new *Directive for the Implementation of the Official Languages (Communications with and Services to the Public) Regulations*, consultations on a new language training framework, and on the support the Treasury Board Secretariat provided to institutions during the 2022-23 fiscal year.

We trust you will find the information in this report useful for managing the official languages programs within your institutions. The publication of this report is an opportunity to engage your deputy head and senior management to review your institution's performance. We hope that it will enable you to examine shortcomings, where they may exist, develop plans to address them and monitor progress.

Please do not hesitate to contact us through the following address [OLReview-BilanLO@tbs-sct.gc.ca](mailto:OLReview-BilanLO@tbs-sct.gc.ca), should you require additional information.

## New! Changes to the investigation process at the Office of the Commissioner of Official Languages

We are writing to inform you that as of July 2, 2024, the investigation process at the Office of the Commissioner of Official Languages will undergo changes, including:

First, the **preliminary and final investigations reports will be replaced with a single report and, when necessary, an amended investigation report**. The coming changes to the Office of the Commissioner's reports will have few

repercussions for federal institutions. They will still have the opportunity to provide their comments on the Office of the Commissioner's conclusions before the closure of the investigation. Here is how the new procedure will go:

The Office of the Commissioner will use the gathered information to draft an **investigation report** that will present the conclusions of the investigation. The Office of the Commissioner will then invite the parties (the institution and the complainant) to inform the Office of the Commissioner of any mistake, omission or fact that should be brought to its attention before the closure of the file. Moving forward, the deadline to provide comments will be **30 days**. The comments received will be taken into consideration. If it is not necessary to amend the investigation report, the parties will receive a **notice of closure** of the investigation.

If, in light of the comments, the investigation report needs to be amended, the parties will receive a notice. The Office of the Commissioner will then send to the parties an **amended report, which** will replace the previous report. At this stage, the investigation will be closed.

The Office of the Commissioner aims to ensure, through its investigations, that federal institutions comply with the *Official Languages Act*. It is therefore possible that the Office of the Commissioner cease its investigation if an institution takes corrective measures or if it commits, with the Commissioner's approval, to take corrective measures by entering into a compliance agreement.

Please note that in the fall, the preliminary and final reports on the follow-up to the recommendations will also be replaced by a follow-up report and an amended follow-up report. More information will be provided at a later date.

Moving forward, institutions will be asked to **proactively** demonstrate, with supporting documentation and by the **assigned deadline** for the implementation of the recommendations, the progress made in the implementation of the recommendations. **If by the deadline an institution has not provided proof of the implementation of the recommendations, the Office of the Commissioner will conclude that they have not been followed.**

Stay tuned, as more information on these changes will soon be published on the Office of the Commissioner's ["After filing a complaint"](#) web page. For more information on the launch of the Office of the Commissioner's new tools, such as compliance agreements, check out the ["Timeline for the launch of the Office of the Commissioner's new tools"](#) web page.

## **Update on the Official Languages Regulations Reapplication Exercise (OLRRE)**

The OLRRE, which was launched last fall, continues to run its course. An important milestone for the exercise has been achieved: the step involving the validation of offices that fall under automatic rules is now complete!

The TBS Official Languages Centre of Excellence is currently reviewing these validations and will soon announce the anticipated publication date for these offices to Burolis, the public-facing website, which provides information on federal offices and

whether they offer services to the public in English, French or in both official languages. It is on this date of publication to Burolis that the one-year deadline, prescribed by the [Directive on the Implementation of the Official Languages \(Communications with and Services to the Public\) Regulations](#) (the Directive), will begin for the implementation of obligations for offices with new language designations for offices that fall under automatic rules. The exact date offices will be published to Burolis will be communicated to you in due time.

**We would like to take this opportunity to remind you of the deadlines prescribed by the Directive for the next steps of the OLRRE, namely:**

- Definition of service areas: August 27, 2024
- Completion of consultations under proportionality: August 27, 2024
- Measurement of Demand: February 2026

We are counting on your continued collaboration to ensure a smooth OLRRE. If you have any questions, please contact the Part IV (Communications with and Services to the Public) Regulations team at [info-ollo@tbs-sct.gc.ca](mailto:info-ollo@tbs-sct.gc.ca).

## Toolbox

### Language Training Framework



The Treasury Board Secretariat's Official Languages Centre of Excellence is proud to announce the launch of its language training framework for the federal public service.

The goal of the language training framework is to provide second language learning options that are effective, flexible, accessible, learner-driven and consider the needs of equity-seeking groups.

The framework includes the three following components:

#### **Guidelines on second official language training**

The [Guidelines](#) support federal institutions in providing equitable access to inclusive and standardized language training approaches. They also provide advice on how to ensure success in language training, most notably through a shared responsibility between the employee and their manager.

#### **Handbook on second official language training**

The [Handbook](#) includes best practices and recommendations to support institutions and managers in implementing the guidelines.

#### **Playbook on second official language training**

The [Playbook](#) outlines various learning paths, tools, and resources according to employees' needs in a variety of organizational contexts. This will help them acquire and maintain second official language proficiency. A variety of self-directed online tools are identified at no or minimal cost and are appropriate for anyone looking to

begin their second official language learning journey, maintain their proficiency levels, prepare for second language evaluation, and refine their skills.

For more information on the language training framework, please visit the [Language Training Hub](#). This hub aims to be a one-stop shop for second official language training.

Happy learning or supporting the learning of your colleagues!

## **New Tool - Bank of pre-translated messages for communications in emergency or crisis situations**

In October 2020, the Office of the Commissioner of Official Languages tabled a report entitled: *A Matter of Respect and Security: The Impact of Emergencies on Official Languages*.

In response to this report, the Treasury Board Secretariat developed a three-year action plan for 2022-2024, one of the initiatives of which was to establish a bank of pre-translated messages on recurring topics for communications in emergency or crisis situations. The Treasury Board Secretariat, in collaboration with the Translation Bureau of Public Services and Procurement Canada and seven federal institutions, has just completed this pilot project.

This initiative aims to support federal institutions in ensuring effective bilingual communications during emergency or crisis situations by providing messages that can be adapted to meet the needs of the institution, or that they can take inspiration from to develop their own messaging. Thirty-five (35) themes are proposed, covering bomb threats, weather conditions, evacuations, demonstrations, and many other topics.

To access it, please visit: [Community of Official Languages/Tools/Communications and services/Emergency measures](#)

We are counting on you to promote it to everyone concerned (heads of communications, heads of security, etc.).

## **Community**

### **Protecting interpreters in virtual and hybrid mode**



Are you participating virtually in interpreted meetings, or organizing virtual or hybrid meetings where simultaneous interpretation will be provided? Find out [what you must do to protect interpreters](#), and learn more about [interpretation at the Translation Bureau](#), including the Translation Bureau's groundbreaking research regarding the impacts of sound quality on interpreters' health.



## Recovery of fees for requests for exclusions on medical grounds

Under the [Public Service Official Languages Exclusion Approval Order](#), persons may be excluded from meeting the linguistic profile of a bilingual position in a non-imperative appointment when they have a medical condition that prevents them from learning their second official language or from achieving the linguistic profile for their bilingual position. The Public Service Commission (PSC) has the exclusive authority to approve exclusions from meeting official language proficiency requirements on medical grounds for organizations subject to the Exclusion Approval Order.

To allow the PSC to render a decision, medical expertise is required to conduct an independent review of an individual's medical file to determine whether the individual can learn a second official language. The PSC has put in place a contract with an independent medical review officer (MRO) to replace the services previously provided by Health Canada.

As of July 1, 2024, the PSC will begin to recover the fees charged by the MRO from organizations requesting an exclusion on medical grounds. More information on the mechanism and procedures will be communicated shortly.

Questions regarding this change can be addressed to the dedicated generic PSC inbox [cfp.delo-eao.psc@cfp-psc.gc.ca](mailto:cfp.delo-eao.psc@cfp-psc.gc.ca).



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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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