

Taking *Official Languages Act* Part VII Obligations into Account in Decision-Making

— Checklist

As of June 2023, the *Official Languages Act* (OLA) requires federal institutions to consider the **potential impacts** of their policy and program decisions on the Government of Canada's commitments to advancing the equality of status and use of the official languages in Canadian society. Moreover, such institutions must take concrete measures to **mitigate the potentially negative impacts** that their policies and programs could have on those commitments.

This tool was developed to help ensure that decision-making, whether it involves policy or program development/revision, budget reductions or any other major decision, takes OLA requirements into account.

Visit the [Publications - Official languages](#) page for detailed references, tools and guides.

Government of Canada commitments under 41(1) to (3) of Part VII of the OLA - *Advancement of Equality of Status and Use of English and French*:

- Enhancing the vitality of the English and French linguistic minority communities and advancing English and French
- Protecting and promoting French throughout Canada
- Advancing opportunities to pursue learning in the minority language

Positive measures: Positive measures are concrete measures taken with the intention of having a beneficial effect on the implementation of these commitments. The OLA stipulates that federal institutions must consider whether positive measures could potentially be taken.

Analyze

1

Have you done your research and conducted an impact analysis? Managers of federal institutions must ensure that analyses founded on **evidence-based findings** have been conducted and must demonstrate that they have considered the potential for taking **positive measures** with a beneficial effect on the implementation of the **commitments** under 41(1) to (3) of the Act.

Consult

2

- Have you identified the advocacy organizations representing the official language minority communities (OLMCs) and other relevant stakeholders that could be affected by the decision? Are you familiar with their needs and priorities?

The OLA **strongly** encourages consultation and provides details on how to consult:

- **provide** information before meetings so that participants can react and arrive prepared;
- **seek** their views and perspectives on the identified topics and the proposed positive measures;
- openly **consider** their views and ideas;
- be prepared to **alter** the initial proposal or measures to reflect their views.

There are a number of ways to consult. Depending on the situation, these can include regular, informal dialogue or more formal sessions.

Mitigate

3

Have you considered the possibilities for avoiding, or at least mitigating, the direct **negative impacts** that a structuring decision may have on the commitments under the Act?

Document

4

Has the decision-making process been documented? It is crucial to keep a record of all the steps, analyses and consultations carried out. The Treasury Board, which is responsible for monitoring compliance with the language obligations of federal institutions, may request supporting documentation. This is also important in the event of a complaint to the Office of the Commissioner of Official Languages, which now enjoys increased enforcement powers.

This document was prepared by the Official Languages Branch of Canadian Heritage. For more information, please contact the resource person responsible for the implementation of section 41 of the OLA (part VII) at dgloplanstratrech-olbstratplanres@pch.gc.ca. This document is for PCH internal use.