

# Service and Access Guidelines for the Official Language Minority Communities Segment

Final Report

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## 1. Introduction

Service Canada mandated the Canadian Institute for Research on Public Policy and Public Administration (CIRPPPA) to consult with Canada's official language minority communities (OLMCs) with a view to proposing guidelines for improving the communities' access to the programs and services Service Canada delivers. Service Canada also wanted to identify key factors for improving its service delivery model and to obtain information on the communities' priority needs. With a better understanding of OLMC development strategies, Service Canada will be better equipped to use the guidelines when the time comes to incorporate more programs into its growing inventory and to develop the mechanisms for delivering services through its offices.

Service Canada is new, Canada-wide network designed to facilitate access to Government of Canada programs, providing one-stop, personalized service. It brings together a range of federal services to meet the individual needs of Canadians, wherever they live, and it is working closely with a number of other federal departments to integrate services. Whatever the federal government service citizens are looking for, Service Canada's long-term vision is to provide access at any of its 320 Service Canada Centres, on-line at [servicecanada.gc.ca](http://servicecanada.gc.ca) or by phone at 1 800 O-Canada.

Service Canada has over 22,000 employees working to serve Canadians across the country. All front-line, processing and management staff have been specially trained to provide a first point of contact for the Government of Canada and support one-stop service delivery. Through outreach and mobile services and cooperation with other federal departments and the provincial governments, Service Canada plans to double its points of service in 2007.

Service Canada's goal is to provide respectful, courteous one-stop service to more Canadians in more communities. Over time, it wants to bring together all federal government services and programs to make it easier for Canadians to obtain the assistance they need, by telephone, Internet or mail or in person.

The Service Canada initiative involves integrating the services of several federal departments,<sup>1</sup> creating an easy-to-use gateway to government services. Over the next three years, Service Canada wants to improve the existing services and add new services with a view to continuously enhancing service delivery and customer satisfaction. The idea is to use a collaborative, networked approach to support information sharing and integrated service delivery. Service Canada intends to provide service that is equivalent everywhere in the country and is tailored to meet the needs of Canadians.

Beyond its desire to serve individual Canadians, the department has implemented a segmentation strategy that identified OLMCs as a client segment to be developed. Other segments that were identified include seniors, young people, persons with disabilities, Aboriginal people,

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<sup>1</sup> These include Agriculture and Agri-Food Canada, Canada Revenue Agency, Citizenship and Immigration Canada, Human Resources and Skills Development Canada, Passport Canada, Public Works and Government Services Canada, Social Development Canada, Transport Canada and Veterans Affairs Canada. Discussions are also under way with Industry Canada, Health Canada and Indian and Northern Affairs Canada.

workers and employers, families, and newcomers. Using the segmentation strategy, Service Canada can design a more integrated service delivery approach, attempt to harmonize expected policy and program outcomes and, above all, improve the individual's or the segment's client experience. The segmentation strategy makes it possible to relate service to the specific features of the particular group. That is where this work by the CIRPPA comes into play. By consulting with OLMCs, Service Canada wants to be able to identify the needs and principles that the communities feel are most important, so that it can develop service delivery mechanisms and identify the available means of accessing service.

These efforts to improve the delivery of Service Canada services go well beyond the scope of an accounting study of the presence of official language minorities or the ability of Service Canada offices to inform the public through an improved and more efficient system. The consultation with OLMCs reflects the importance Service Canada ascribes to the issue and the organization's desire to play a real and active role in the development of OLMCs.

## **2. The Official Language Minority Communities Segment**

Service Canada has identified OLMCs as one of the primary client segments that it wants to develop and has therefore created a plan to implement the Service Strategy for this group. The strategy supports Service Canada's commitment to improved access for communities and individuals, increased service delivery to linguistic minorities and guaranteed respect for Canadians' language rights.

The Office of Official Language Minority Communities Initiatives (OLMCI) is the client service segment leader for the strategy. The OLMCI's responsibilities are as follows:

- Liaise with departments during policy development, in particular by:
  - Aligning policies with service outcomes achieved;
  - Communicating the communities' viewpoints, background analysis and key stakeholder comments to those in charge of program policies; and
  - Identifying client groups, their features, needs, behaviour and expectations, and the best way of bundling and delivering services;
- Develop broad ties with the various channels and support functions;
- Take on sector management responsibilities; and
- Identify clear service objectives that tie community success with benefits for all Canadians.

The service strategy includes process principles and criteria that will enable Service Canada to become the service provider of choice for OLMCs. Service Canada wants to build a service approach that has a community focus and also improves community capacity. The concrete objectives of the OLMC strategy are as follows:

- Develop a profile of the OLMC client group by identifying its needs and priorities;
- Strengthen Service Canada's capacity to reach Canadians in the communities and to deliver services to community organizations;

- Improve access to government programs and services for OLMC members, increase regional presence in communities and cooperate with other departments to improve Service Canada's service delivery network; and
- Set service standards and measure progress from performance and client satisfaction standpoints.

To achieve these objectives, certain steps must be taken. In particular, Service Canada will have to look for suitable service delivery models for the OLMCs, define the government's expected outcomes, consult with community stakeholders to identify service priorities, provide internal and external coordination and, finally, establish a cost assessment model that includes an identification of training requirements.

In the final analysis, Service Canada wants the strategy rollout to result in an increase in the number of points of service providing services that meet the acknowledged needs of OLMCs; the introduction of a strategy to mobilize the community; the identification of measurable service standards and performance indicators for all service channels; the building of capacity for OLMCs to collect their own information; and the selection of a method of bundling services that is flexible and tailored to OLMC needs.

## 2.1 Background

A market segmentation strategy makes it possible for the Government of Canada to deliver its range of programs and services more coherently. With this project, Service Canada is consulting with OLMCs in order to develop recommendations for delivery of in-person service to Francophone communities outside Quebec and the Anglophone community in Quebec.

Service Canada wanted to take advantage of the dialogue initiated during this OLMC consultation process to determine how Service Canada itself could contribute to taking positive measures to enhance the vitality of the Anglophone and Francophone minority communities of Canada. Like the Government of Canada as a whole, under Part VII of the *Official Languages Act* (OLA) Service Canada has a duty to support the development of OLMCs and to promote the full recognition and use of English and French in Canadian society.

The challenge for Service Canada is the same as the challenge faced by any department or agency that endeavours to meet the obligations arising from the Official Languages Act, which were recently strengthened when the Parliament of Canada enacted Bill S-3. Service Canada not only is committed to providing quality service to all Canadians, but also must take up the challenge of using its staff and resources to enhance the vitality of official language minority communities.

Service Canada is in the midst of change and in the process of implementing its service strategy, and it is well on its way in considering the importance it wants to attach to the basic principles of community development. Service Canada is looking to explore the possibility of modifying its role as a conveyor of information to also include the role of supporter and facilitator within OLMCs. Clearly, this change requires ongoing consultation to clarify which types of governance and policies are most likely to contribute to the development of OLMCs within a strategy for providing services to that priority segment.

After the coming into force of the *Official Languages (Communications with and Services to the Public) Regulations* (1992), adopted following the 1988 renewal of the *Official Languages Act*, many stakeholders in official language communities observed that the socio-political situation had changed and that those measures needed to be reviewed. The linguistic landscape had been reshaped as much by the mobility of Canadians as by the linguistic make-up of families in minority communities. The desire in official language minority communities for constant progress toward equality and the challenge of sustainable development made it necessary to consider how best to provide OLMCs with quality services that would enable them to continue to develop as communities.

The federal government, too, continued to consider new ways of delivering its services to the public using new mechanisms and new technologies. As a result of the changes that have taken place in government in the past decade, not only have delivery mechanisms changed, but the form and machinery of government have also been recast.

For OLMCs, government initiatives involving devolution, reorganization, decentralization and centralization have not always led to better service. As with the implementation of education rights, the courts have sometimes had to intervene in language rights related to the government's duty to communicate with and provide services to the public. After Bill S-3 was passed in the fall of 2005, the notion of "positive measures" to be taken by departments in order to help foster the development and enhanced vitality of OLMCs confirmed the binding nature of the Act and the duty of departments to take action in that regard. Government language policy must now encourage federal institutions to be involved in efforts to enhance community vitality and to provide quality, accessible service in the preferred language of the member of the public being served.

## 2.2 Objectives and Methodology of the Consultation Process

The OLMC consultation process was designed to identify priorities for action and to develop guidelines that could provide direction in the development of a service strategy for the OLMC client segment at Service Canada. The OLMC consultations therefore had to identify gaps in the services delivered under the current system and outline new parameters (definition of community, access criteria, access types) in order to come closer to the needs identified by the OLMCs.

Three fundamental issues were to be addressed in order to come to a coherent view of the delivery of services to official language minority communities by Service Canada. Those issues were:

- Clearly identify the parameters governing delivery of services under Part IV of the OLA;
- Identify the preferred conditions and mechanisms for delivery of government services to OLMCs by Service Canada; and
- Position Service Canada with respect to Part VII of the OLA, which requires departments to take positive measures to foster the development and vitality of OLMCs.

It is important to note that the consultation process focused on the in-person service delivery model. Obviously, because Canada's Francophone population and the English-speaking minority in Quebec are widely dispersed, delivery must be designed creatively in order to provide personal contact and, where necessary, fill in with telephone and on-line services that can nevertheless still be specifically tailored to OLMC needs.

The results of the consultation process will enable Service Canada to incorporate these elements into its OLMC client service strategy and its development plans for each of the regions it serves.

### 2.3 The Three Issues

The discussions dealt primarily with three issues:

- **Issue #1: Part IV: Current Communications and Service Delivery System**

In its recent report, *Toward Substantive Equality*,<sup>2</sup> the Office of the Commissioner of Official Languages summarized the current regulatory framework nicely. The *Official Languages (Communications With and Services to the Public) Regulations* were adopted in order to clarify implementation of the linguistic rights guaranteed by section 20 of the *Canadian Charter of Rights and Freedoms* and the language obligations of federal institutions under the *Official Languages Act* of 1988. We used the analysis framework developed by the OCOL as our guide in facilitating the Part IV discussions.

Except at head or central offices of government institutions, which are required to provide their services in both official languages, decision makers at the time decided to set two limits on the public's right to receive bilingual services from federal institutions. They did not, however, define what those limits were. Thus, federal institutions are obliged to provide services in both official languages in offices where:

- a) there is significant demand for service in English or French;
- or
- b) the nature of the office makes it reasonable to use English and French.

#### Criteria Used to Determine Significant Demand

Parliament did not feel it was necessary to define the limits any further in the *Official Languages Act*. It left it to the Governor in Council to make regulations clarifying the linguistic obligations of federal institutions, although it did set some criteria for determining significant demand. These four criteria are not mutually exclusive and may in fact be complementary. They are:

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<sup>2</sup> Office of the Commissioner of Official Languages, *Toward Substantive Equality: Forum on New Approaches to Regulating Official Languages*, Discussion Paper, Ottawa, September 2005.

- a) the number of persons in the English or French linguistic minority and the proportion the minority represents of the population of the region served;
- b) the particular characteristics of the minority community;
- c) the volume of communications or services; and
- d) "any other factors that the Governor in Council considers appropriate".

In developing the 1992 Regulations, the government of the day decided to define significant demand using mainly the following two criteria:

- a) the size of the minority official language population or its proportion in relation to the overall population of the area in which it is located; and
- b) the level of demand for specific services.

The Regulations distinguish between major urban centres with a population of at least 100,000 (census metropolitan areas or CMAs) and smaller cities, towns, villages and rural areas (census subdivisions or CSDs). In each of these categories, the duty to provide federal services in both languages is subject to different conditions. Depending on the category, the public and communities may have access to only some designated key services, and in small communities, a criterion related to the proportion of the minority relative to the total population is used.

The following is a graphic representation of the Regulations:

CMA + 5000	1	All services at at least one office
CMA - 5000	2	Key services + other services depending on area or demand
CSD 500 + 5%	3	All services at at least one office
CSD + 500 - 5%	4	Key services + other services depending on area or demand
CSD 200-500 + 5%	5	Key services + other services depending on area or demand
CSD - 200 + 30%	6	Key services + other services depending on area
Other OLMCs	7	Services depending on area

- **Issue #2: Model for Service Canada Delivery of Services to OLMCs**

Once a department's obligations under Part IV (right of members of the public to receive services) have been established, the mechanism by which service is delivered becomes an equally important issue. There are currently no specific regulations governing service delivery channels.

In a recent comparative analysis of certain single-window delivery models in other countries commissioned by Service Canada,<sup>3</sup> the observation was made that it is important to clarify the basic components that will enable Service Canada to position itself with

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<sup>3</sup> Bryant, Christopher, *Issues, Building Blocks and Challenges Regarding Single-Window Outreach In-Person Service Delivery to Official Linguistic Minority Communities*, Econotrends Ltd., 2005.



regard to its delivery of services to the OLMCs. Basically, the report underscored the following:

- *What services are provided and who is being served?*
- *What services should be provided in future and to whom?*
- *How should services be provided and by whom?*
- *Where and when are the services provided?*
- *What are the guidelines or common directions for service delivery to Francophone and Acadian communities?*

First of all, from the community perspective, service delivery could form part of a larger picture of improving quality of life for its members, particularly through activities offered in the community. Employment and employment-related services are among the most fundamental needs of communities and their members. One of the key principles is a respect for the diverse living and working situations of OLMC members, which have implications for the governance structures and the processes introduced to coordinate service delivery.

Secondly, from the federal government standpoint, the most fundamental principle is the need to have a permanent and continuous presence *within* the community in order to guarantee the community's support for the service delivery mechanisms introduced. Another important principle is that in order for it to be able to play a major role through its contribution to the vitality and sustainability of the OLMCs Service Canada must find an appropriate balance with regard to service delivery roles.

Lastly, the consultation aimed to clearly identify the communities' perception of their role in service delivery. This new, more community-oriented approach is defined by the following elements:

- Move from primarily individual-based services to services aimed at improving the quality of life of members of the public by putting the federal government more in touch with the day-to-day lives of Canadians, in particular by developing a dynamic partnership between Service Canada and communities.
- Foster the development of links between all levels of government.
- Focus on the creation and preservation of viable, sustainable communities.
- Adopt the principle of having government officials at the lowest possible level interact with Canadian society.
- Take advantage of the current context to foster an environment conducive to this type of corporate cultural change:
  - Greater recognition of the importance of the *community* as a favourable, stable and informed stakeholder in Canadian society;
  - Greater awareness among government institutions of the need to continue moving toward greater horizontality in order to be a more effective player in community development.

- **Issue #3: Part VII: What Kind of Contribution Can Service Canada Make to the Development and Vitality of OLMCs?**

In revising the 1988 *Official Languages Act*, Parliament imposed on the government and all federal institutions, through Part VII and in particular section 41 of the Act, a duty to support and assist the development of linguistic minorities and foster the promotion of linguistic duality in Canadian society.

The government put in place administrative measures aimed at ensuring the implementation of Part VII by a number of federal institutions. In 1994, Cabinet approved an “accountability framework” that imposed on 27 departments and agencies at the time a duty to take specific measures based on their programs and corporate mandates. The accountability framework targets federal institutions that operate in sectors key to community development and vitality.

The accountability framework now covers 34 designated departments and agencies, requiring them to prepare an annual (or multi-year) action plan in which they identify the measures that will enable them to meet their commitment. These action plans, produced following consultations with official language communities aimed at identifying their specific needs in terms of planning their activities, are then submitted to the Minister of Canadian Heritage, who reports on results in his or her annual report to Parliament on official languages.

The enactment of Bill S-3 further strengthened the principle of the duty of the Government of Canada to take measures to ensure the development of OLMCs. The new legislation raised the bar by clarifying the binding nature of the *Official Languages Act*. To subsection 41(1), which read, “The Government of Canada is committed to (a) enhancing the vitality of the English and French linguistic minority communities in Canada and supporting and assisting their development; and (b) fostering the full recognition and use of both English and French in Canadian society”, it added subsection 41(2), which reads, “Every federal institution has the duty to ensure that positive measures are taken for the implementation of the commitments under subsection (1). For greater certainty, this implementation shall be carried out while respecting the jurisdiction and powers of the provinces.”

Since there are no regulations, every department must explain in its action plan how it intends to contribute to the development and vitality of OLMCs.

### **3. The OLMC Consultations**

The primary objective of this study was to gather the viewpoints of the official language minority communities regarding access to and delivery of Service Canada’s services. To accomplish this, it was crucial to go and meet with OLMCs and engage in dialogue with the beneficiaries of those services as well as with potential Service Canada partners. The main data collection tool was a series of five consultations held in a variety of locations that were

representative of various features of Canada's Francophone community and Quebec's Anglophone community. The locations were Moncton (for the Atlantic provinces), Edmonton (for the West and the North), Sudbury (for Ontario), Montreal (for Quebec) and Ottawa (for the national viewpoint).

The consultation process took place in cooperation with community stakeholders identified by Service Canada as being in a position to give us information about the reality experienced by the communities. We worked closely with the following:

- The *Réseau de développement économique et d'employabilité* (RDÉE)
- The *Fédération des communautés francophones et acadienne* (FCFA)
- The Quebec Community Groups Network (QCGN)
- The National Human Resources Development Committee for the English Linguistic Minority

About 20 participants were selected for each meeting from a list prepared by representatives of OLMC organizations, the RDÉE for each province and territory outside Quebec and the National Human Resources Development Committee for the English Linguistic Minority in Quebec.

Although every community is unique to the extent that it has been shaped by its own historical, demographic and political context, accessibility of federal government services in the official language of one's choice is a right enshrined in Canada's *Official Languages Act*. And while bolstered by regulations since 1992, the ability of an OLMC to access federal services and programs is a major tool in the community's journey towards sustainable development.

We divided Canada's vast territory into four major regions, i.e. the Atlantic provinces, the West and the North, Ontario and Quebec. Between June and October 2006, the CIRPPPA team held a one-day meeting in a central location in each of the four regions, i.e., in Moncton, Edmonton, Sudbury and Montreal. A national meeting was also held in Ottawa with representation from national organizations and from Nunavut.

Based on the analytical framework developed around the three critical issues identified earlier, the consultation process was twofold. The first part was dedicated to presentations of a more explanatory nature. First, an overview of the Service Canada strategy was presented, followed by a status report on linguistic rights in Canada, in particular since the adoption of the 1969 *Official Languages Act* and up to and including the latest amendments brought into force in the fall of 2005 with Bill S-3.

The information gathered during each consultation had regional overtones. However, the core recommendations for improved service delivery capacity and accessibility for OLMCs were very similar in many ways across the country. To avoid repetition and heaviness, we explain and describe the key ideas in the first section of the report on the consultations and provide regional features and examples in the subsequent sections.

### **3.1 Atlantic Consultation**

The first general discussion topic dealt with the idea that it is important to move toward an approach whereby the government adapts to the realities experienced by OLMCs (rural community, minority, illiteracy, etc.) rather than the reverse. The participants expressed some disappointment regarding the lack of progress in interdepartmental efforts in the area of OLMC development since the adoption of the accountability framework under the federal government's action plan (Dion Plan) in 2003. They said that a Service Canada presence in their community, with a broader range of programs and services from departments that could contribute to OLMC development, would be a concrete way of ensuring progress on the interdepartmental obligations established in the *Official Languages Act*. Service points that are capable of providing improved access to federal programs would mean genuine progress towards achieving equality for the communities. The range of services offered now is still too limited.

#### **Issue #1: Current Communications and Service Delivery System (Part IV)**

- **New Criteria for Access to Federal Government Services**

Participants in the consultations expressed a clear desire to revamp the Treasury Board's 1992 Regulations. Although many communities have access to some services under the current Regulations, numerous gaps remain. And even the communities that feel they are well served by the current Regulations questioned the methodology, which places the burden of proof on quantitative data alone. The participants questioned the method of determining significant demand using statistical data collected and organized according to Statistics Canada criteria. In their view, while there should be minimum criteria to establish the presence of Francophone communities, the government must rethink the approach that is solely based on census demographics and explore new criteria for establishing the presence of a minority community and determining what services it needs. One participant questioned the current framework, saying "[Translation] What is the logic behind regulations that dictate that a community of 500 Acadians that makes up 10% of the population is entitled to more services than a nearby community of 500 Acadians that makes up only 3% of the population, in two areas that are defined by Stats Can?"

The system is poorly understood both by community leaders and by government officials in the regions. Members of the public do not really know where or when they are entitled to request service in French.

The new criteria should take into consideration the more dynamic idea of community vitality and reflect the fact that the courts have also indicated the government's responsibility for taking positive measures to correct injustices of the past and move towards genuine equality. In conclusion, participants wanted to convey the message that the government should adopt a more active and deliberate interpretation of the its obligations regarding the services and programs it delivers to OLMCs.

- **Community-Specific Services**

The participants stressed the importance of having service that is geared to the diverse clienteles within OLMCs (private citizens, organizations, businesspeople). Under the current Regulations the communities have access to often limited services in French,

but the participants wondered whether Service Canada had done an analysis to determine which programs would be most likely to meet their needs. Although the discussion about greater access to other departments should perhaps be covered under the second issue (service delivery model), these remarks indicated to us that the list of seven key departments identified in 1992<sup>4</sup> should probably be revisited. Research should be conducted to match OLMC development objectives with the federal programs available to them.

## **Issue #2: Components of a Model for Service Canada Delivery of Services to OLMCs**

The discussion regarding a service delivery model resulted in some very interesting ideas about the importance of service that, as much as possible, is tailored to meet OLMC needs and takes into consideration OLMC profiles.

- **Quality Service Equal to Service to the Majority**

The gist of the discussion on this topic was that, in many cases, participants just want to receive the level of service normally provided to the linguistic majority. They want accessible service in their language without delays and tailored to their reality.

The Moncton gathering provided a wealth of suggestions that could guide Service Canada in identifying quality standards when the time comes to roll out the OLMC segment strategy and in finding ways to build the trust and partner status that Service Canada wants. The following are some suggestions made during the consultations:

- Locate services closer to OLMCs;
- Establish maximum distance criteria (e.g. 100 km) for service in person at a Service Canada office;
- Service Canada is recognized by OLMCs and has to invest in branding its service;
- Do promotion in the local media (community radio stations);
- Be able to deliver more than front-line service in French in strategic sectors;
- Waiting times must be reasonable and similar to those experienced by the majority;
- Ensure that steps are straightforward, information can be given orally and forms are not complicated (see linguistic barriers below);
- If service is delegated to a third party, service must be equivalent to that received by the majority;
- Simpler forms, perhaps even a single form for all programs available to OLMCs; and
- Bilingual, rather than unilingual, forms would make it possible for people to verify certain terms in English.

- **From Active Offer to Promotion of Active Demand**

This idea came up in all of the consultations and should form one of the pillars of a service delivery strategy that goes beyond the more passive role of conduit for information

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<sup>4</sup> See Appendix 3.

traditionally associated with those who work for departments with a service orientation. This change in vocation would also mean that, by encouraging the public to actively request service, Service Canada would be shouldering its responsibilities under Part VII. Promoting active demand means educating OLMCs about their rights and encouraging them to use government services in the official language of their choice.

- **Reliability of Service in French and Anchoring Service in the Community**

Reliability of service in French is an area we want to focus on. It could have been included in the list above, since it is a dynamic that is specific to populations with high levels of bilingualism. If service is not available in French, Francophone clients who are very bilingual will choose to complete their transaction or pursue their request for information in English.

In addition, these communities often are not in the habit of requesting service in their language. The majority of provincial governments (aside from New Brunswick, which is officially bilingual) offer only limited service in French, where it is available, and municipal governments are even less likely to offer service in French. Even in New Brunswick, the right to receive service in French dates back just to the 1960s and availability is not always guaranteed.<sup>5</sup>

The participants stressed the importance of having the capacity to offer service in French in place from the moment the new segmentation strategy is rolled out. As one participant noted, “[Translation] Because many Acadians are bilingual, they will adapt and be willing to receive service in the majority language. If Service Canada wants to set itself up as a place where the Francophone community can go and get information and assistance in French, it will be necessary for it to be available from the outset and on a consistent basis.” In other words, any gains that may be made regarding requests for service in French can rapidly be eroded if there is inconsistency in the capacity to provide the service in French.

Lastly, one comment that is particularly difficult to put into practice, but in our view is an important one, because it was repeatedly stressed, is the importance of having service (office, people, approach) that is anchored in the community. We are dealing with interpersonal relationships and perceptions that circulate around the community. Yet, in each consultation, a number of the best practices shared were predicated on a special relationship between a government official and an organization that together dedicated time and mobilized departments and, of course, resources to achieve a common goal. The recommendation that flows from this observation has more to do with the importance of selecting and training human resources and goes somewhat beyond our expertise in public policy with regard to OLMCs. Nonetheless, we feel it is important for Service Canada to include mechanisms in its rollout strategy that will encourage this type of privileged partnership, where government and community are not in a unidirectional relationship or even a relationship of authority, but are collaborators. In the end, this collaboration is dependent on a working relationship between government officials and community volunteers or employees.

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<sup>5</sup> See reports by the Commissioner of Official Languages for New Brunswick (2005 and 2006).

- **Linguistic and Cultural Barriers**

A service delivery model that is tailored to the needs of Francophone and Acadian communities must take local language registers into consideration and be integrated into the local culture. That can mean sensitivity on the part of government officials to local accents or lower literacy rates or just an awareness of local habits and customs. Participants told us unequivocally that a service delivery mechanism in which active demand in French becomes the norm will depend on the links that the office creates with the Francophone and Acadian communities.

- **Single Window (Coordination with Other Levels of Government)**

Some participants felt it was important to try to bring various levels of government services together under one roof. Representatives of the *Fédération acadienne de la Nouvelle-Écosse* (FANE) in particular supported the single window model. The Acadian community of Nova Scotia highlighted some objectives in a brief on the subject.<sup>6</sup> It identifies the following goals of a single window:

- Offer service in French to the people of the province; bring the service to the people, rather than the reverse;
- Provide access to services in French from different levels of government in one location, thus facilitating delivery of service to the community;
- Develop a linguistic comfort zone in the service offer: the physical location is known as a place where people speak French. The local accent is used and because the location is nearby, the person in the position probably comes from the community;
- Develop a habit of requesting service in French. The population has not been asked to request service in French for many years. This has instilled a climate of increasing linguistic insecurity. To place value on the French language and bring it back from the realm of folklore, it is necessary to allow people to use their language in their dealings with government.

With its tripartite agreement with the local RDÉE, P.E.I. is also a positive example of how resources can be shared and joint planning among governments can take place. Governments should study the single window model closely. According to the participants, it could be a profitable formula for some communities.

- **Measuring Service Capacity: Evaluating Progress**

This topic was covered both in the discussion of a service delivery model and in the one dealing with ways the government could address its Part VII responsibilities under the OLA. One very concrete suggestion regarding the capacity to serve Francophone communities is to establish targets for progressing towards a capacity to serve 100% of

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<sup>6</sup> “*Gestion des guichets uniques par les sites P@C: Une innovation dans la livraison des services en français par le gouvernement de la Nouvelle-Écosse et du Canada*” [Community Access Program Management of Single Windows: Innovation in Delivering Service in French by the Governments of Nova Scotia and Canada], brief prepared by the Réseau acadien des sites P@C de la Nouvelle-Écosse, May 2006.

OLMCs in person via some means or another. For instance, by setting a baseline (current capacity) of 75% of OLMC Canadians in 2006, the following targets could be set:

- 85% of OLMC Canadians by 2010
- 95% of OLMC Canadians by 2013
- 99% of OLMC Canadians by 2016

The suggestion was also made that the concept of evaluating progress should be applied to government employee performance in the field. For instance, Service Canada management could identify targets for contact with OLMCs (e.g. 50 clients per year). A government employee would thus be responsible for working towards that frequency of contact.

- **Proactive Client-Oriented Service**

Those consulted understand that the government employee is a representative of the State and often is the one holding the public purse strings. However, despite this specific legal status, they would like to see a service approach or philosophy that is more proactive. Service Canada could achieve this objective in a variety of ways:

- It could be proactive by communicating with organizations regarding programs that are likely to be of interest to them;
- It could develop a system like MERX to give timetables for relevant programs; and
- It could have flexible hours for service delivery, including evenings or weekends, to provide greater presence during community activities.

- **Service Canada: Matching Federal Programs and Services with OLMC Priority Development Objectives<sup>7</sup>**

This comment came up in every consultation we held. The participants stated that it would be important to analyze the correspondence between the OLMCs' priority development objectives and the federal programs likely to support those objectives. After an initial analysis of the programs that would be able to support the OLMCs, Service Canada could try to include them in the range of services offered through its service points. Participants identified key concepts that would have to be kept in mind in carrying out this exercise:

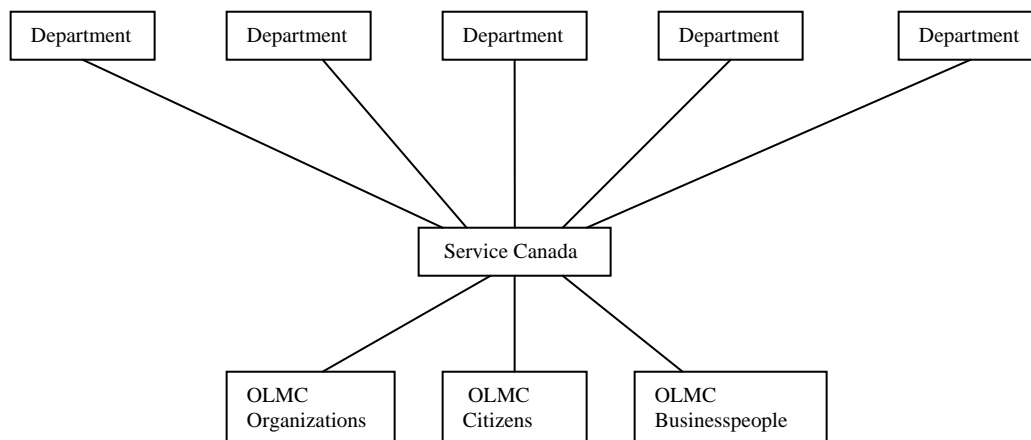
- Identification, discernment, prioritization
- Alignment of needs/services
- Thinking in terms of bundling
- Interdepartmental cooperation
- Intergovernmental cooperation

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<sup>7</sup> We should point out that this comment was also made during the discussions about how Service Canada could make its contribution under Part VII of the OLA. According to the participants, conducting this analysis and keeping an up-to-date comparison of the correspondence between community development plans and federal programs would be of great value and would definitely contribute to the development and vitality of OLMCs, as prescribed in Part VII of the OLA.



Service Canada's potential role as a guide was identified at every consultation we held. The concept of a facilitator for OLMCs and community organizations at the local level can be shown as follows:



With a much greater presence in the community, Service Canada would become the federal government's eyes and ears at the local level regarding OLMC needs and it could convey those needs to the federal bureaucracy. So much more than a simple tool for the delivery of information and services, Service Canada could become the hub<sup>8</sup> between the local official language minority communities and Government of Canada support for their development. All of the OLMCs said that we need to think more holistically about OLMC development. Unfortunately, community leaders felt that the consultation process, to give just one example, still had a vertical logic, i.e. department by department. These consultations, which have been more frequent since the adoption of Bill S-3, mandating the need to take positive measures, are a major burden for organizations that in some cases have just a small staff or just one person in management. The OLMCs certainly want to engage in dialogue with the federal government, but the scope and scale of the consultations (in particular with the 34 organizations identified in the federal action plan) between volunteer associations and the government have become a difficult burden to bear.

A concrete example that was given throughout the consultations would see Service Canada act as a facilitator between the bureaucracy and the OLMCs so that federal programs can be adapted to OLMC realities. Numerous OLMCs told us that many programs, tailored to the majority or to much larger groups than the smaller linguistic communities, should really be rethought or adapted to the scale of OLMCs. In fact, each step in the public policy development process, right up to program delivery, could be looked at, and the OLMCs are proposing that Service Canada adopt a broader role, as a guide for the information that the government wants to disseminate but also as a partner through all the stages of the oft-intimidating bureaucracy. One participant expressed the view in these words, "[Translation] If we use the image of a conduit, Service Canada wants to convey more than just information through the conduit. I agree, but more importantly, Service Canada has to make the conduit operate in both directions, i.e. it has to assist the OLMCs, but it also has to support the communities in their access to the federal government."

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<sup>8</sup> One participant used the term '*passerelle*,' i.e. 'bridge' or 'gateway,' which we like.

Lastly, the point was forcefully made that Service Canada's work as a facilitator must in no way and at no time erode departmental accountability under the OLA.

### **Issue #3: Part VII: Service Canada's Contribution to OLMC Development and Vitality**

- **Importance of the Federal Presence in the Community**

In the consultation of Acadian organizations, particular emphasis was placed on the importance of having a Government of Canada presence and visibility. No one wanted to discount the possibility of developing agreements with third parties in the community, but here more than elsewhere, the federal presence and the economic activity flowing from it were felt to be priorities. Federal jobs are seen by the community to be good, well-paid jobs that provide a more stable presence than other institutions. As one participant noted, "[Translation] Federal jobs show our young people that you can have a good job even if you stay in our community. Also, the jobs are often in workplaces where it's possible to function in French."

- **Support for Community Infrastructure**

In addition to the "good" jobs created by the federal government's presence (and the resulting economic spin-offs), we also noted that a very concrete contribution to OLMC development would be the presence of Service Canada on the very premises of community facilities such as community centres, schools, churches, etc.

- **Tools for the Planning and Evaluation of OLMC Development**

Despite the adoption of a number of planning tools within OLMC organizations and federal departments (Managing for Results) since the late 1990s, Acadian organizations told us that additional resources, increased training opportunities and the development of tools better suited to the OLMCs would make it possible to better structure and better plan for community development. This comment was also raised in the discussions about the selection of services that the department (Service Canada) could eventually offer. Evaluation tools for the range of programs and services should be developed to monitor the effectiveness of access and service delivery. But better yet, Service Canada could support the OLMCs in developing planning and monitoring tools and in evaluating their overall development plan, which most OLMCs have created.

- **Institutional Completeness Approach**

The participants stated that if the strategy of community-focused service (OLMC segment) is to succeed, the Service Canada approach has to be rooted in a willingness to guide OLMCs in their quest for greater institutional completeness. From the executive office to the official responsible for the OLMC segment in a local office, the organizational culture must include an understanding of the realities of minority communities and make a contribution to its development. At the risk of repeating ourselves, the people we consulted would like Service Canada to have a greater role in OLMC-related affairs and even to act as a guide in project development and implementation. Communities are in the process of working towards institutional completeness in a linguistically homogeneous space. The entire system – managers, officers and even the philosophy -- has to espouse a vision of

working towards greater autonomy and responsibility for OLMCs. This has to become an automatic reaction that is incorporated into the organizational culture.

### **3.2 West/North Consultation**

The comments that arose during the Atlantic consultation, described above, were also covered in some form in the four subsequent consultations. In the following summaries, we will focus on the specific ideas raised in each of the regions and will share the experiences that support those findings. We will also report any findings unique to a particular region.

#### **Issue #1: Current Communications and Service Delivery System (Part IV)**

- **New Criteria for Defining Regulations**

Like their Atlantic counterparts, OLMC representatives from the West and North would like to see revamped regulations that focus on community vitality. They confirmed that the Regulations entitling people to receive services are very poorly understood by the population at large and even by federal government employees. As one participant said, “[Translation] Not only are the Regulations insufficient, they’re downright obsolete.” Participants would like to see Service Canada start by profiling the socio-linguistic reality of the West and North and build its service strategy on that, rather than on the obsolete 1992 Regulations. OLMCs in the West feel poorly served by the Regulations as they stand now.

Participants also criticized the methodology used in the Regulations, which always compares OLMCs to the surrounding majority by calculating the percentage representation. “[Translation] Let’s at least identify some absolute numbers as thresholds for services and then try to complement that analysis with indices of community vitality.”

We found that the participants in the West/North consultation were more likely to voice demands on this issue. A number of people said that the wrongs done to Francophones in the past had to be righted. Too often, the result of the 1992 Regulations was to limit service rather than try to find ways of facilitating access to service or identify means of delivery. People fervently hoped that Service Canada would build a service framework based on community presence rather than on the existing Regulations.

Participants pointed to significant gaps in service in French in major cities in the West. Even when the population threshold required for service in French is met, the offices are not always in locations that are most accessible to Francophones. Service Canada should be more sensitive to that reality. Work has to be done to identify whether there are Francophone neighbourhoods or concentrations of Francophone services or businesses in a specific area.

- **Community-Specific Services**

The participants stressed the importance of having service that is geared to the diverse clienteles within OLMCs (private citizens, organizations, businesspeople). Under the current Regulations the communities have access to often limited services in French, but the participants wondered whether Service Canada had done an analysis to determine which programs would be most likely to meet their needs. Although the discussion about greater access to other departments should perhaps be covered under the second issue

(service delivery model), these remarks indicated to us that the list of seven key departments identified in 1992<sup>9</sup> should probably be revisited. Research should be conducted to match OLMC development objectives with the federal programs available to them.

- **Burolis Not Effective**

An interesting discussion took place regarding the information made available to the French-speaking public regarding bilingual access points. The view was unanimous that the Burolis search tool was not effective and that identifying service points using this tool was not practical and was a very passive strategy on the part of the federal government to promote access points where service is available in French. Not only are the Regulations difficult for ordinary people to understand, but the only tool made available to them to find “their services” in French is much too complex and too difficult to locate on the federal government’s Web site.

- **Service Canada a Designated Institution**

Although it is an offshoot of Human Resources and Skills Development Canada, Service Canada should be more explicitly mentioned as an institution included in the accountability framework for the Government of Canada’s action plan. If the 1992 Regulations were to be revamped, the participants agreed that Service Canada should be included on the list of departments/agencies designated as essential.

## Issue #2: Service Canada Delivery of Services to OLMCs

- **Desire to Act as a Third Party in Service Delivery**

Here, as in English-speaking Quebec, the greatest desire voiced by OLMCs was to act as a third party in service delivery. Without minimizing the importance of the federal presence, as mentioned vociferously by the Acadians, the participants in this consultation and the organizations they represent think that they can contribute to accessibility and quality of service by delivering some services themselves. Partnerships with Western Economic Diversification (WED) have been very successful and have been cited by the Office of the Commissioner of Official Languages as examples to follow.

- **Quality Service Equal to Service to the Majority**

The quality criteria listed in the Moncton consultation are relevant here as well, but the tone of the discussion in the West and North was somewhat more impatient and frustrated. When we asked people to think outside the box, one participant stated, “[Translation] *It’s not always possible to think outside the box when the bare minimum dictated by the current framework is not even met. I agree that we should get off the beaten track, but service in French is a right, not just a service or a bureaucratic mechanism. It’s time to take action.*”

Some people expressed disappointment with the slow pace of progress in the West and North regarding access to service in French. “[Translation] *It’s hard to imagine*

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<sup>9</sup> See Appendix 3.

*the government (Service Canada) being capable of tailoring programs to the OLMCs or contributing to the development of our communities, when it can't even provide service in French."*

The participants encouraged Service Canada to anchor their service delivery mechanism in the community, i.e. by setting up service points in schools or community facilities. In their view, the single window would ideally be part of the community. In the Yukon, we have one example of a success story, where community third parties provide a number of services from community facilities.

The following are some suggestions made during the consultations:

- Locate services closer to OLMCs;
- Establish maximum distance criteria (e.g. 100 km) for service in person at a Service Canada office;
- Service Canada is recognized by OLMCs and has to invest in branding its service;
- Do promotion in the local media (community radio stations);
- Be able to deliver more than front-line service in French in strategic sectors;
- Waiting times must be reasonable and similar to those experienced by the majority;
- Ensure that steps are straightforward, information can be given orally and forms are not complicated (see linguistic barriers below);
- If service is delegated to a third party, service must be equivalent to that received by the majority;
- Simpler forms, perhaps even a single form for all programs available to OLMCs; and
- Bilingual, rather than unilingual, forms would make it possible for people to verify certain terms in English.

- **From Active Offer to Promotion of Active Demand**

This idea came up in all of the consultations and should form one of the pillars of a service delivery strategy that goes beyond the more passive role of conduit for information traditionally associated with those who work for departments with a service orientation. This change in vocation would also mean that, by encouraging the public to actively request service, Service Canada would be shouldering its responsibilities under Part VII. Promoting active demand means educating OLMCs about their rights and encouraging them to use government services in the official language of their choice.

- **Reliability of Service in French and Anchoring Service in the Community**

Reliability of service in French is an area we want to focus on, since it is a dynamic that is specific to populations with high levels of bilingualism. If service is not available in French, Francophone clients who are very bilingual will choose to complete their transaction or pursue their request for information in English.

In addition, these communities often are not in the habit of requesting service in their language. The majority of provincial governments (aside from New Brunswick, which is officially bilingual) offer only limited service in French, where it is available, and municipal governments are even less likely to offer service in French.

The participants stressed the importance of having the capacity to offer service in French in place from the moment the new segmentation strategy is rolled out, because any

gains that may be made regarding requests for service in French can rapidly be eroded if there is inconsistency in the capacity to provide the service in French.

Lastly, one comment that is particularly difficult to put into practice, but in our view is an important one, because it was repeatedly stressed, is the importance of having service (office, people, approach) that is anchored in the community. We are dealing with interpersonal relationships and perceptions that circulate around the community. Yet, in each consultation, a number of the best practices shared were predicated on a special relationship between a government official and an organization that together dedicated time and mobilized departments and, of course, resources to achieve a common goal. The recommendation that flows from this observation has more to do with the importance of selecting and training human resources and goes somewhat beyond our expertise in public policy with regard to OLMCs. Nonetheless, we feel it is important for Service Canada to include mechanisms in its rollout strategy that will encourage this type of privileged partnership, where government and community are not in a unidirectional relationship or even a relationship of authority, but are collaborators. In the end, this collaboration is dependent on a working relationship between government officials and community volunteers or employees.

- **Single Window (Coordination with Other Levels of Government)**

This service delivery model was more actively promoted in the West and North session. The Franco-Manitoban community has had three bilingual service centres (two in rural Manitoba and one in Winnipeg) for a few years now and the results appear to have convinced the community. Some operating guidelines were suggested for the eventual model developed for the OLMC segment of Service Canada's clientele:

- Service is always offered first in French;
- The language of work is French;
- Clients who enter a French-speaking work environment will be motivated to request service in French;
- All employees are fluently bilingual;
- Solicit interdepartmental and intergovernmental cooperation; and
- Create a comfort zone for French.<sup>10</sup>

The single window network applies the principle of proactive service to the Francophone population and those in charge have found that there has been greater use of the network and greater interaction with the community.

- **Linguistic and Cultural Barriers**

As with the other consultations, the participants stressed the importance of using simple vocabulary, accessible information tools and forms that are as easy as possible to complete.

Clearly, the multicultural aspect of Canada's Francophonie raises some very important considerations for the delivery of service to OLMCs here as in Ontario. Alberta's Francophone community has recorded significant growth due to migration from other provinces, but also due to immigration. Participants from British Columbia made the same observation: over 80% of B.C. Francophones are from outside the province. It is impossible

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<sup>10</sup> See the finding under Linguistic and Cultural Barriers on page 13.

to find a common definition of the Francophone client, and developing a single profile presents some very specific challenges. Saskatchewan's population of 16,000 Francophones increases to 50,000 if the definition includes those who speak French. In the Yukon, 90% of Francophones come from outside the territory. The communities themselves are in the process of developing mechanisms to better integrate these newcomers into community life and, in their view, it will be a priority for Service Canada to do likewise. Furthermore, communities in the West and North, like the majority of OLMCs in Canada, are dealing with distance-related challenges. Any service delivery strategy will have to take into account this enormous barrier.

As was the case in the Atlantic consultation, participants stressed the importance of providing bilingual documentation, i.e. with terminology in English and French, to enable those who are less comfortable in French to become familiar with the vocabulary. The comment may seem odd or even look like a backward step to someone who is part of the majority. However, a number of the more fragile communities are involved in refrancization efforts and customized tools to assist them in those efforts are important to OLMCs, particularly among Francophones in very small minority communities, where assimilation has been at work for generations.

As one participant told us: "[Translation] *The closer the Service Canada image mirrors OLMCs, the more buy-in you will have. If the organizational culture can arrive at a real understanding of life in a minority community and incorporate it into its modus operandi, we will be able to see Service Canada as the ideal tool to guide and assist OLMC development.*"

- **Proactive Client-Oriented Service**

One participant provided a good illustration of this concept with the simple principle, "[Translation] *Cultivate the notion of a government employee who assists rather than limits.*" This idea was identified numerous times as a definite must in a successful strategy towards OLMCs (see p. 14). Several people said that Service Canada should do much more to sensitize its employees to the reality of OLMCs. They proposed the following:

- Work placements with community organizations for Service Canada employees;
- Course on OLMC history and culture; and
- Workshops to introduce community development plans.

Service Canada must improve its own employees' awareness and perhaps even offset a lack of awareness in other federal departments. In the short term, some participants noted that Service Canada could create an OLMC section on its Web site that can be browsed. There is currently nothing to indicate that the OLMCs are a priority segment.

- **Measuring Service Capacity: Evaluating Progress**

This topic was covered both in the discussion of a service delivery model and in the one dealing with ways the government could address its Part VII responsibilities under the OLA. One very concrete suggestion regarding the capacity to serve Francophone communities is to establish targets for progressing towards a capacity to serve 100% of

OLMCs in person via some means or another. For instance, by setting a baseline (current capacity) of 75% of OLMC Canadians in 2006, the following targets could be set:

- 85% of OLMC Canadians by 2010
- 95% of OLMC Canadians by 2013
- 99% of OLMC Canadians by 2016

The suggestion was also made that the concept of evaluating progress should be applied to government employee performance in the field. For instance, Service Canada management could identify targets for contact with OLMCs (e.g. 50 clients per year). A government employee would thus be responsible for working towards that frequency of contact.

- **Service Canada: Matching Federal Programs and Services with OLMC Priority Development Objectives**

This concept took up a great deal of time during the afternoon discussions, with regard to both the service delivery model and the priority actions Service Canada should take under Part VII. There is clearly some dissatisfaction with the capacity of Canadian Heritage to handle its role as the watchdog for sections 41 and 42 of the OLA, at least in the West, and in particular its ability to forge solid ties with other departments and thus encourage interdepartmental cooperation. There is some confusion over who has responsibility and leadership for the official languages file. Once again, the participants voiced a desire to see Service Canada do the following:

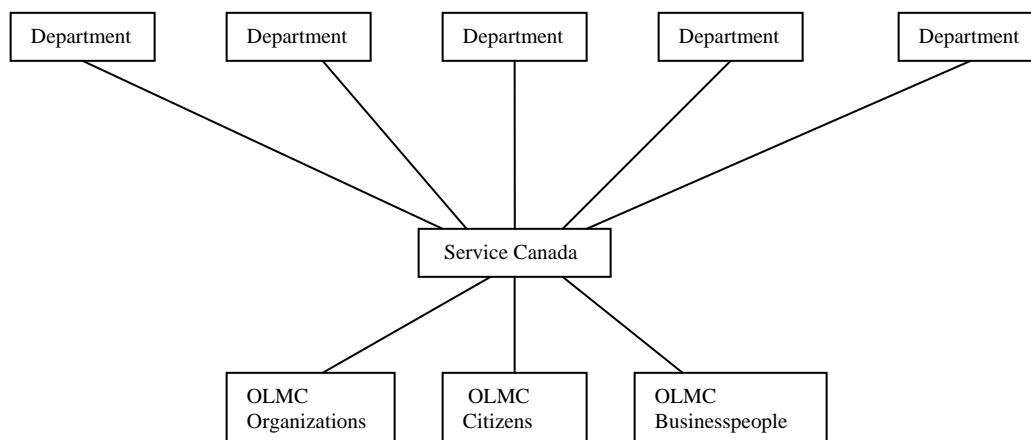
- Ensure that opportunities for the federal government to provide support in developing community projects are maximized;
- Carry out some social marketing activities with other federal departments; and
- Act as a resource when departments are trying to assess the impact of their new programs, services, etc.

This recommendation to play the role of facilitator came up in every consultation we held. The participants stated that it would be important to analyze the correspondence between the OLMCs' priority development objectives and the federal programs likely to support those objectives. After an initial analysis of the programs that would be able to support the OLMCs, Service Canada could try to include them in the range of services offered through its service points. Participants identified key concepts that would have to be kept in mind in carrying out this exercise:

- Identification, discernment, prioritization
- Alignment of needs/services
- Thinking in terms of bundling
- Interdepartmental cooperation
- Intergovernmental cooperation

Service Canada's potential role as a guide was identified at every consultation we held. The concept of a facilitator for OLMCs and community organizations at the local level can be shown as follows:





With a much greater presence in the community, Service Canada would become the federal government's eyes and ears at the local level regarding OLMC needs and could convey those needs to the federal bureaucracy. So much more than a simple tool for the provision of information and services, Service Canada could become the hub<sup>11</sup> between the local official language minority communities and Government of Canada support for their development. All of the OLMCs said that we need to think more holistically about OLMC development. Unfortunately, community leaders felt that the consultation process, to give just one example, still had a vertical logic, i.e. department by department. These consultations, which have been more frequent since the adoption of Bill S-3, which mandates the need to take positive measures, are a major burden for organizations that in some cases have just a small staff or just one person in management. The OLMCs certainly want to engage in dialogue with the federal government, but the scope and scale of the consultations (in particular with the 34 organizations identified in the federal action plan) between volunteer associations and the government have become a difficult burden to bear.

A concrete example that was given throughout the consultations would see Service Canada act as a facilitator between the bureaucracy and the OLMCs so that federal programs can be adapted to OLMC realities. Numerous OLMCs told us that many programs, tailored to the majority or to much larger groups than the smaller linguistic communities, should really be rethought or adapted to the scale of OLMCs. In fact, each step in the public policy development process, right up to program delivery, could be looked at, and the OLMCs are proposing that Service Canada adopt a broader role, as a guide for the information that the GoC wants to disseminate but also as a partner through all the stages of the oft-intimidating bureaucracy. One participant expressed the view in these words: "[Translation] If we use the image of a conduit, Service Canada wants to convey more than just information through the conduit. I agree, but more importantly, Service Canada has to make the conduit operate in both directions, i.e. it has to assist the OLMCs, but it also has to support the communities in their access to the federal government."

Lastly, the point was forcefully made that Service Canada's work as a facilitator must in no way and at no time erode departmental accountability under the OLA.

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<sup>11</sup> One participant used the term '*passerelle*,' i.e. 'bridge' or 'gateway,' which we like.

### **Issue #3: Part VII: Service Canada's Contribution to OLMC Development and Vitality**

- **Coordinated Community Consultation**

In addition to confirming the importance of the federal presence and the economic spin-offs it brings to a community, the participants highlighted the need to simplify the coordination and cooperation processes. As in the Atlantic consultation, participants here proposed that Service Canada obtain the mandate of coordinating this process. Participants wanted to see consultations held with several departments at one time. Service Canada could group the interdepartmental consultations by sector or by project. The thing to avoid at all cost is the need to hold 34 separate consultation sessions. In the view of the participants, Service Canada's ability to better orchestrate the interdepartmental work would be a huge contribution to the development and vitality of OLMCs.

- **Importance of the Federal Presence in the Community**

During the consultation, particular emphasis was placed on the importance of having a Government of Canada presence and visibility. No one wanted to discount the possibility of developing agreements with other third parties in the communities, but the federal presence and the economic activity flowing from it were felt to be priorities. Federal jobs are seen by the community to be good, well-paid jobs that provide a more stable presence than other institutions.

- **Support for Community Infrastructure**

In addition to the "good" jobs created by the federal government's presence (and the resulting economic spin-offs), we also noted that a very concrete contribution to OLMC development would be the presence of Service Canada on the very premises of community facilities such as community centres, schools, churches, etc.

- **Tools for the Planning and Evaluation of OLMC Development**

Despite the adoption of a number of planning tools within OLMC organizations and federal departments (Managing for Results) since the late 1990s, community organizations told us that additional resources, increased training opportunities and the development of tools better suited to the OLMCs would make it possible to better structure and better plan for community development. This comment was also raised in relation to the discussions about the selection of services that the department (Service Canada) could eventually offer. Evaluation tools for the range of programs and services should be developed to monitor the effectiveness of access and service delivery. But better yet, Service Canada could support the OLMCs in developing planning and monitoring tools and in evaluating their overall development plan, which most OLMCs have created.

- **Institutional Completeness Approach**

The participants stated that if the strategy of community-focused service (OLMC segment) is to succeed, the Service Canada approach has to be rooted in a willingness to guide OLMCs in their quest for greater institutional completeness. From the executive office to the official responsible for the OLMC segment in a local office, the organizational culture must include an understanding of the realities of minority communities and make a contribution to its development. At the risk of repeating ourselves, the people we consulted would like Service Canada to have a greater role in OLMC-related affairs and even to act as a guide in project development and implementation. Communities are in the process of working towards institutional completeness in a linguistically homogeneous space. The entire system – managers, officers and even the philosophy -- has to espouse a vision of working towards greater autonomy and responsibility for OLMCs. This has to become an automatic reaction that is incorporated into the organizational culture.

### **3.3 Ontario Consultation**

#### **Issue #1: Current Communications and Service Delivery System (Part IV)**

- **New Criteria for Defining Regulations**

The participants agreed that the criteria for assessing significant demand should be geared towards more qualitative data that reflect community vitality, rather than a percentage of the overall population. Some highlighted the fact that our view of the Regulations was perhaps too narrow and that we needed to look at the big picture, as presented in the first part of the meeting. Basically, OLMCs have changed a great deal, particularly in Ontario, it is essential to develop a formula that provides greater access in areas where Francophones are not receiving adequate service. Some participants proposed that the models and diagrams used in the private sector for setting up new stores be adopted.

- **Community-Specific Services**

The increasing cultural diversity of Ontario means that the definition of services that are considered essential has to be reviewed. The list developed in 1992 has to be updated and the perception that OLMC needs are cultural alone has to be changed. Communities are involved in development projects that go beyond a celebration of Francophone culture. They are working in the economy, health, immigration, training, etc.

#### **Issue #2: Service Canada Delivery of Services to OLMCs**

- **Quality Service Equal to Service to the Majority**

The gist of the discussion on this topic was that, in many cases, participants just want to receive the level of service normally provided to the linguistic majority. They want accessible service in their language without delays and tailored to their reality.

Everywhere we went, we heard a wealth of suggestions that could guide Service Canada in identifying quality standards when the time comes to roll out the OLMC segment

strategy and in finding ways to build the trust and partner status that Service Canada wants. The following are some suggestions made during the consultations:

- Locate services closer to OLMCs;
- Establish maximum distance criteria (e.g. 100 km) for service in person at a Service Canada office;
- Service Canada is recognized by OLMCs and has to invest in branding its service;
- Do promotion in the local media (community radio stations);
- Be able to deliver more than front-line service in French in strategic sectors;
- Waiting times must be reasonable and similar to those experienced by the majority;
- Ensure that steps are straightforward, information can be given orally and forms are not complicated (see linguistic barriers below);
- If service is delegated to a third party, service must be equivalent to that received by the majority;
- Simpler forms, perhaps even a single form for all programs available to OLMCs; and
- Bilingual, rather than unilingual, forms would make it possible for people to verify certain terms in English.

The Francophone community of Ontario raised a number of ideas to do with the principle of equal service, including the following:

- If we want to respect the premise that Service Canada is the gateway to the government, every office should be different and tailored to OLMC needs. Equality is sometimes achieved in different ways.
- Stop translating documents, because it distorts the understanding of OLMC projects. French applications should be evaluated by someone who understands French. Translation also has an impact in that it devalues the Francophone identity (second-class citizens).
- Avoid the attitude that clients who understand the majority language should facilitate the process by using the majority language.
- OLMCs are constantly trying to catch up; steps need to be taken to rebuild service, but also to rebuild the communities.

As they articulated their ideas about quality service, the participants expressed some concern about how much Service Canada was growing (and how big it seemed to want to be). The bigger it gets, the less sensitive and accessible it will become. Aside from the major centres of Toronto and Ottawa, Francophones live in small communities and Service Canada should mirror that scale. The Francophone segment must not become a pet project for Service Canada regional offices. As one participant said, *"[Translation] The Francophonie is not a project, it's a fundamental Canadian value and a cornerstone of the vision that is Canada."*

- **Linguistic and Cultural Barriers**

The participants dedicated part of the discussion to the cultural issues and barriers with regard to service delivery. The presence of newcomers in the major centres of Ontario

must factor into Service Canada's considerations with a view to integrating them into the Ontario Francophonie. Through the quality of its service in French and its willingness to comply with Part VII of the OLA, Service Canada must contribute to bringing French back from the realm of folklore in some parts of the province and must play a role in actualizing the French language, i.e. it must demonstrate that French is relevant to young people and society in general.

A service delivery model that is tailored to the needs of Francophone and Acadian communities must take into consideration local language registers and be integrated into the local culture. That can mean sensitivity on the part of government officials to local accents or lower literacy rates or just an awareness of local habits and customs. Participants told us unequivocally that a service delivery mechanism in which active demand in French becomes the norm will depend on the links that the office creates with the Francophone and Acadian communities.

- **From Active Offer to Promotion of Active Demand**

This idea came up in all of the consultations and should form one of the pillars of a service delivery strategy that goes beyond the more passive role of conduit for information traditionally associated with those who work for departments with a service orientation. This change in vocation would also mean that, by encouraging the public to actively request service, Service Canada would be shouldering its responsibilities under Part VII. Promoting active demand means educating OLMCs about their rights and encouraging them to use government services in the official language of their choice.

- **Reliability of Service in French and Anchoring Service in the Community**

Reliability of service in French is an area we want to focus on, since it is a dynamic that is specific to populations with high levels of bilingualism. If service is not available in French, Francophone clients who are very bilingual will choose to complete their transaction or pursue their request for information in English.

In addition, these communities often are not in the habit of requesting service in their language. The majority of provincial governments (aside from New Brunswick, which is officially bilingual) offer only limited service in French, where it is available, and municipal governments are even less likely to offer service in French.

The participants stressed the importance of having the capacity to offer service in French in place from the moment the new segmentation strategy is rolled out, because any gains that may be made regarding requests for service in French can rapidly be eroded if there is inconsistency in the capacity to provide the service in French.

Lastly, one comment that is particularly difficult to put into practice, but in our view is an important one, because it was repeatedly stressed, is the importance of having service (office, people, approach) that is anchored in the community. We are dealing with interpersonal relationships and perceptions that circulate around the community. Yet, in each consultation, a number of the best practices shared were predicated on a special relationship between a government official and an organization that together dedicated time and mobilized departments and, of course, resources to achieve a common goal. The recommendation that flows from this observation has more to do with the importance of selecting and training human resources and goes somewhat beyond our expertise in public

policy with regard to OLMCs. Nonetheless, we feel it is important for Service Canada to include mechanisms in its rollout strategy that will encourage this type of privileged partnership, where government and community are not in a unidirectional relationship or even a relationship of authority, but are collaborators. In the end, this collaboration is dependent on a working relationship between government officials and community volunteers or employees.

This idea elicited a great deal of discussion in the Ontario consultation, and the participants raised a number of concerns that are similar to those noted elsewhere, such as:

- *"[Translation] When it says that service is available and then it isn't, the client feels humiliated. We base our behaviour on past experience. We won't seek to be humiliated a second time."*
- *"[Translation] When there are deficiencies in the capacity to provide service in French, there's a vicious cycle of movement towards the majority language, which we (bilingual Franco-Ontarians) speak very well."*
- Access points that do not follow the regulations for service to OLMCs are not only violating the OLA, they are contributing to assimilation.
- As a client, you don't want to feel like service is being provided because it's an obligation; you want to think it's being offered because the government wants to serve both of Canada's language communities.

- **Single Window (Coordination with Other Levels of Government)**

The participants said they would see the introduction of a single window pilot project as a positive step. The pilot could take place in the Sudbury region, which has some particularly interesting features (urban/rural area, critical mass of Francophones, skills and human resources). The benefits of the single window approach include the following:

- Referral service
- Bundling of services in priority areas (immigration, employment, etc.)
- French workplace
- Federal/provincial cooperation

- **Measuring Service Capacity: Evaluating Progress**

This topic was covered both in the discussion of a service delivery model and in the one dealing with ways the government could address its Part VII responsibilities under the OLA. One very concrete suggestion regarding the capacity to serve Francophone communities is to establish targets for progressing towards a capacity to serve 100% of OLMCs in person via some means or another. For instance, by setting a baseline (current capacity) of 75% of OLMC Canadians in 2006, the following targets could be set:

- 85% of OLMC Canadians by 2010
- 95% of OLMC Canadians by 2013
- 99% of OLMC Canadians by 2016

The suggestion was also made that the concept of evaluating progress should be applied to government employee performance in the field. For instance, Service Canada management could identify targets for contact with OLMCs (e.g. 50 clients per year). A

government employee would thus be responsible for working towards that frequency of contact.

- **Service Canada: Matching Federal Programs and Services with OLMC Priority Development Objectives**

Here, as elsewhere, the participants expressed a desire to see Service Canada act as a gateway, but more particularly as a guide to the labyrinthine federal bureaucracy. Here are the comments made in that regard:

- There is a huge need for closer partnerships with other departments to offer a larger range of services;
- Service Canada could act as the OLA watchdog on new policy and program initiatives by departments;
- In conjunction with the OLMCs, Service Canada could contribute to the development of indicators to measure effectiveness of programs and services;
- Service Canada could be responsible for coordinating the numerous consultations held with federal departments;
- Every service point becomes the eyes and ears of the federal government in that OLMC. There might be less need to hold consultations if the government had a greater presence on the ground;
- A training centre for government employees should be set up immediately to educate them on the realities of minority communities.

As was the case in the West/North consultation, Service Canada was identified as possibly being better positioned to deliver all services and programs to OLMCs. With its wealth of experience in governance structures and administering the Enabling Fund, Service Canada can become the agency to deliver everything the OLMCs need. In addition, the desire was expressed to see a department such as Service Canada deal with training and education on all OLMC-related topics (*Official Languages Act*, OLMCs' situation, sharing of best practices). The participants were aware that the Public Service Human Resources Management Agency and Canadian Heritage do some of that work, but they feel completely excluded from these processes. They have the impression that there is the government and its processes on the one side and the communities that receive grants on the other.

### **Issue #3: Part VII: Service Canada's Contribution to OLMC Development and Vitality**

- **Importance of the Federal Presence in the Community**

During the consultation, particular emphasis was placed on the importance of having a Government of Canada presence and visibility. No one wanted to discount the possibility of developing agreements with third parties in the communities, but the federal presence and the economic activity flowing from it were felt to be priorities. Federal jobs are seen by the community to be good, well-paid jobs that provide a more stable presence than other institutions.

- **Support for Community Infrastructure**

In addition to the “good” jobs created by the federal government’s presence (and the resulting economic spin-offs), we also noted that a very concrete contribution to OLMC development would be the presence of Service Canada on the very premises of community facilities such as community centres, schools, churches, etc.

- **Tools for the Planning and Evaluation of OLMC Development**

Despite the adoption of a number of planning tools within OLMC organizations and federal departments (Managing for Results) since the late 1990s, community organizations told us that additional resources, increased training opportunities and the development of tools better suited to the OLMCs would make it possible to better structure and better plan for community development. This comment was also brought up in relation to the discussions about the selection of services that the department (Service Canada) could eventually offer. Evaluation tools for the range of programs and services should be developed to monitor the effectiveness of access and service delivery. But better yet, Service Canada could support the OLMCs in developing planning and monitoring tools and in evaluating their overall development plan, which most OLMCs have created.

- **Institutional Completeness Approach**

The participants stated that if the strategy of community-focused service (OLMC segment) is to succeed, the Service Canada approach has to be rooted in a willingness to guide OLMCs in their quest for greater institutional completeness. From the executive office to the official responsible for the OLMC segment in a local office, the organizational culture must include an understanding of the realities of minority communities and make a contribution to its development. At the risk of repeating ourselves, the people we consulted would like Service Canada to have a greater role in OLMC-related affairs and even to act as a guide in project development and implementation. Communities are in the process of working towards institutional completeness in a linguistically homogeneous space. The entire system – managers, officers and even the philosophy -- has to espouse a vision of working towards greater autonomy and responsibility for OLMCs. This has to become an automatic reaction that is incorporated into the organizational culture.

### **3.4 Quebec Consultation**

#### **Issue #1: Current Communications and Service Delivery System (Part IV)**

- **New Criteria for Defining Regulations**

The participants felt that the boundaries of census subdivisions resulted in some anomalies. Some communities were split in two, which reduced their ability to obtain services under the Regulations. The Anglophone population is increasingly dispersed. Aside from concentrations on the west island of Montreal, the established communities are becoming less and less concentrated. It is therefore important that the indicators used to identify service locations attempt to address that issue. In areas where there are 500 Anglophones who form at least 5% of the population, all services should be offered.



We have to turn to a method of measuring linguistic vitality rather than counting people whose mother tongue is English who live in an area defined by authorities outside the community.

- **Community-Specific Services**

The participants stressed the importance of having service that is geared to the diverse clienteles within OLMCs (private citizens, organizations, businesspeople). Under the current Regulations the communities have access to often limited services in English, but the participants wondered whether Service Canada had done an analysis to determine which programs would be most likely to meet their needs. Although the discussion about greater access to other departments should perhaps be covered under the second issue (service delivery model), these remarks indicated to us that the list of seven key departments identified in 1992<sup>12</sup> should probably be revisited. Research should be conducted to match OLMC development objectives with the federal programs available to them.

## **Issue #2: Service Canada Delivery of Services to OLMCs**

- **Interference in Provincial Jurisdictions**

The greatest difference between Quebec's Anglophone minority and other OLMCs is that it must deal with the requirements the provincial government imposes on the partnership between it and the Government of Canada, considered to represent interference in provincial jurisdiction. Service Canada therefore has to be very careful not to step on the provincial government's toes in its efforts to deliver services and in its involvement in general.

- **Desire to Act as a Third Party in Service Delivery**

The concept of a third party involved in delivery of services was applauded here. Provincial services in English are extremely limited, so the community has equipped itself with a service delivery capacity that would be useful to Service Canada. The service points are already there to a certain extent, if community organizations are used as the base, and benefits may be derived from the fact that they have already acquired recognition and credibility.

- **From Active Offer to Promotion of Active Demand**

This idea came up in all of the consultations and should form one of the pillars of a service delivery strategy that goes beyond the more passive role of conduit for information traditionally associated with those who work for departments with a service orientation. This change in vocation would also mean that, by encouraging the public to actively request service, Service Canada would be shouldering its responsibilities under Part VII. Promoting active demand means educating OLMCs about their rights and encouraging them to use government services in the official language of their choice.

- **Quality Service Equal to Service to the Majority**

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<sup>12</sup> See Appendix 3.

The gist of the discussion on this topic was that, in many cases, participants just want to receive the level of service normally provided to the linguistic majority. They want accessible service in their language without delays and tailored to their reality.

Everywhere we went, we heard a wealth of suggestions that could guide Service Canada in identifying quality standards when the time comes to roll out the OLMC segment strategy and in finding ways to build the trust and partner status that Service Canada wants. The following are some suggestions made during the consultations:

- Locate services closer to OLMCs;
- Establish maximum distance criteria (e.g. 100 km) for service in person at a Service Canada office;
- Service Canada is recognized by OLMCs and has to invest in branding its service;
- Do promotion in the local media (community radio stations);
- Be able to deliver more than front-line service in French in strategic sectors;
- Waiting times must be reasonable and similar to those experienced by the majority;
- Ensure that steps are straightforward, information can be given orally and forms are not complicated (see linguistic barriers below);
- If service is delegated to a third party, service must be equivalent to that received by the majority;
- Simpler forms, perhaps even a single form for all programs available to OLMCs; and
- Bilingual, rather than unilingual, forms would make it possible for people to verify certain terms in English.

Service Canada has to undertake to become better known. For the service to be used, people have to be made aware that it is available and that it is available in English. Participants shared examples of being forced to seek service in English from federal offices outside the province. To obtain service in English from the Canada Revenue Agency, the Anglophone community on the North Shore has to use P.E.I.'s 1-800 number. That does not constitute equal service for Anglophones and Francophones. Some mentioned the usefulness of a team approach to service in English. In this model, at least one person per sector or per branch is available at all times to take requests in English.

#### • **Service Canada: Matching Federal Programs and Services with OLMC Priority Development Objectives**

As with Canada's Francophone minority communities, the English-speaking minority in Quebec sees this principle as a crucial contribution that Service Canada could make to improve service in English and foster development of the English-speaking community in Quebec. To complement the comments made in earlier consultations, here are other examples and suggestions for the facilitator role:

- Hire Service Canada ambassadors from the English community to act as promoters of community development within other departments and the community;

- Build more relationships with institutions in the Anglophone community (McGill, Bishop's, hospitals, schools);
- Set up a multifunctional Service Canada "SWAT" team of three or four people who have expertise in key program and service sectors. The team could travel to the regions and work on all stages of project development;
- Use the developing community learning centre infrastructure to ensure a Service Canada presence. The learning centres could be loosely based on the community/school centre model in the Francophone minority communities and Service Canada could be a key partner in setting them up;
- The Anglophone community in Quebec does not have a very good sense of its community vitality. It has a poor understanding of the sociolinguistic dynamics at work among the province's Anglophones. Service Canada must support research to provide better information about community dynamics;
- As mentioned in the linguistic barriers section, Service Canada could contribute to making government documents and forms more intelligible. Language is not the barrier here; the problem is the pointless complexities of the paperwork;
- The community needs to have a connection with the government that is mandated to achieve the objectives of the OLA. Service Canada could provide that connection.

Lastly, the Anglophones of Quebec also asked that Service Canada play a much more active role in pursuing interdepartmental initiatives. There are still major gaps in the federal government's proposed strategy. The participants felt that the horizontal approach had to become the "normal" modus operandi for federal departments.

- **Measuring Service Capacity: Evaluating Progress**

This topic was covered both in the discussion of a service delivery model and in the one dealing with ways the government could address its Part VII responsibilities under the OLA. One very concrete suggestion regarding the capacity to serve Francophone communities is to establish targets for progressing towards a capacity to serve 100% of OLMCs in person via some means or another. For instance, by setting a baseline (current capacity) of 75% of OLMC Canadians in 2006, the following targets could be set:

85% of OLMC Canadians by 2010

95% of OLMC Canadians by 2013

99% of OLMC Canadians by 2016

The suggestion was also made that the concept of evaluating progress should be applied to government employee performance in the field. For instance, Service Canada management could identify targets for contact with OLMCs (e.g. 50 clients per year). A government employee would thus be responsible for working towards that frequency of contact.

### **Issue #3: Part VII: Service Canada's Contribution to OLMC Development and Vitality**

- **Importance of the Federal Presence in the Community**

The physical presence of the federal infrastructure is very important to the Anglophone minority in Quebec. Use of space in their schools and community centres is a concrete

contribution to the development of community capacity. Participants said that even though several key jurisdictions for development are provincial (education, early childhood, health), the symbolic presence of the federal government is crucial. Without flying the Canadian flag everywhere, the federal government's capacity to support OLMCs by its presence and its ability to deliver services in English are factors in the development of the English minority. The federal presence is a crucial link in building community capacity.

No one wanted to discount the possibility of developing agreements with third parties in the community, but the federal presence and the economic activity flowing from it were felt to be priorities. Federal jobs are seen by the community to be good, well-paid jobs that provide a more stable presence than other institutions.

- **Support for Community Infrastructure**

In addition to the "good" jobs created by the federal government's presence (and the resulting economic spin-offs), we also noted that a very concrete contribution to OLMC development would be the presence of Service Canada on the very premises of community facilities such as community centres, schools, churches, etc.

- **Tools for the Planning and Evaluation of OLMC Development**

Despite the adoption of a number of planning tools within OLMC organizations and federal departments (Managing for Results) since the late 1990s, community organizations told us that additional resources, increased training opportunities and the development of tools better suited to the OLMCs would make it possible to better structure and better plan for community development. This comment was also brought up in relation to the discussions about the selection of services that the department (Service Canada) could eventually offer. Evaluation tools for the range of programs and services should be developed to monitor the effectiveness of access and service delivery. But better yet, Service Canada could support the OLMCs in developing planning and monitoring tools and in evaluating their overall development plan, which most OLMCs have created.

- **Institutional Completeness Approach**

The participants stated that if the strategy of community-focused service (OLMC segment) is to succeed, the Service Canada approach has to be rooted in a willingness to guide OLMCs in their quest for greater institutional completeness. From the executive office to the official responsible for the OLMC segment in a local office, the organizational culture must include an understanding of the realities of minority communities and make a contribution to its development. At the risk of repeating ourselves, the people we consulted would like Service Canada to have a greater role in OLMC-related affairs and even to act as a guide in project development and implementation. Communities are in the process of working towards institutional completeness in a linguistically homogeneous space. The entire system – managers, officers and even the philosophy -- has to espouse a vision of working towards greater autonomy and responsibility for OLMCs. This has to become an automatic reaction that is incorporated into the organizational culture.

### **3.5 National Consultation**

The national consultation was designed specifically to sound out national organizations, but also to verify and validate some of the comments we heard in the regions. We found that the analysis of the problem is very similar throughout the OLMC network. Regional nuances were expressed, but the desire to see Service Canada assume a greater leadership role in serving OLMCs, and even more so in assisting with their development, crossed political and geographic boundaries during the consultations. The national consultation was consistent with the other comments heard by the CIRPPPA team. More than anything, it confirmed that OLMCs view the concept of a Service Canada single window positively. However, expectations of Service Canada to serve as a facilitator in OLMC development as well are very strong. The high expectations are symptomatic of the stagnation that OLMCs sense in the official languages file, in particular in interdepartmental coordination at the federal level. Service Canada will have to manage OLMC expectations. Joint planning by the OLMCs and Service Canada would make it possible to identify realistic, acceptable objectives.

#### **Issue #1: Current Communications and Service Delivery System (Part IV)**

- **New Criteria for Defining Regulations**

The way the census metropolitan area and census subdivision boundaries fall can be to the OLMCs' disadvantage. In Manitoba, for instance, after the 2001 census, the Sainte-Agathe post office lost its bilingual designation, because a concentration of Francophones was split between two separate CSDs. While it is true that regulations are needed to put an implementation framework into practice, if we just use common sense to tell us where service in French should be provided, 95% of Francophone communities could be covered without needing to resort to mathematical formulas. A province-by-province analysis would enable us to find practical ways to provide service points capable of delivering in-person service in French.

The census may not be the best tool to correctly identify the number of Francophones and their presence in a particular area. A number of participants questioned the usefulness of the 1992 Regulations. Citizens must be correctly identified to start with and the census questions can bias the designation of bilingual regions from the outset. The Regulations do not indicate how to identify respondents whose home language is French. The Treasury Board decided to base it on mother tongue alone.

In addition, the logic of the Regulations does not factor in mobility and the need for service in the minority language when travelling or in transit, when the local population is from the majority language group.

The participants were all in agreement that the measurement used to justify service needs to be changed from a calculation based solely on the presence of mother-tongue speakers to a sample of sociolinguistic vitality. The current interpretation is much too restrictive. The group consulted proposed a paradigm shift in how the government identifies regions where people are entitled to service in the minority language. It should start from the idea that all OLMCs have the right to receive service and that the onus is on the government to show that the duty does not apply. Reversing the exercise suggests that

the government will have to justify the lack of service rather than try to measure the presence of Francophones in an area identified by Statistics Canada.

The participants congratulated Service Canada for having the courage to pose these difficult questions, for few if any departments ask the fundamental questions in relation to OLMCs. It is critical to move towards a formula where services to OLMCs are established based on their vitality as well as their numbers. The guidelines that Service Canada develops will provide the opportunity to enter into a government-wide debate on the issue.

- **Community-Specific Services**

The participants stressed the importance of having service that is geared to the diverse clienteles within OLMCs (private citizens, organizations, businesspeople). Under the current Regulations the communities have access to often limited services in French, but the participants wondered whether Service Canada had done an analysis to determine which programs would be most likely to meet their needs. Although the discussion about greater access to other departments should perhaps be covered under the second issue (service delivery model), these remarks indicated to us that the list of seven key departments identified in 1992<sup>13</sup> should probably be revisited. Research should be conducted to match OLMC development objectives with the federal programs available to them.

## Issue #2: Service Canada Delivery of Services to OLMCs

- **Linguistic and Cultural Barriers**

The participants reiterated the importance of communicating as simply as possible with the public. For instance, research into the use of the Guaranteed Income Supplement Program established that the processes were too complicated and involved too many steps for seniors. In response, the government has now made the forms simpler and more accessible. All Service Canada communications should be simple and accessible, because:

- Sixty-six percent of Francophone seniors outside Quebec have level 1 or 2 literacy; and
- The ability to understand "standard" French is limited (understanding in English is often better).

Further, the specifics of Francophone populations should be taken into consideration in training government employees, who should be able to:

- Detect the level of understanding of clients (oral, written);
  - Know strategies and ways of dealing with distinctive linguistic features; and
  - Convey the message and provide documents in everyday language.
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- **Quality Service Equal to Service to the Majority**

The gist of the discussion on this topic was that, in many cases, participants just want to receive the level of service normally provided to the linguistic majority. They want accessible service in their language without delays and tailored to their reality.

The Moncton gathering provided a wealth of suggestions that could guide Service Canada in identifying quality standards when the time comes to roll out the OLMC segment strategy and in finding ways to build the trust and partner status that Service Canada wants. The following are some suggestions made during the consultations:

- Locate services closer to OLMCs;
- Establish maximum distance criteria (e.g. 100 km) for service in person at a Service Canada office;
- Service Canada is recognized by OLMCs and has to invest in branding its service;
- Do promotion in the local media (community radio stations);
- Be able to deliver more than front-line service in French in strategic sectors;
- Waiting times must be reasonable and similar to those experienced by the majority;
- Ensure that steps are straightforward, information can be given orally and forms are not complicated (see linguistic barriers below);
- If service is delegated to a third party, service must be equivalent to that received by the majority;
- Simpler forms, perhaps even a single form for all programs available to OLMCs; and
- Bilingual, rather than unilingual, forms would make it possible for people to verify certain terms in English.

- **Single Window (Coordination with Other Levels of Government)**

The single window model for delivering federal and provincial services under one roof may be a positive step for many communities. Such centres are able to provide services in French in places where Francophones are more likely to make use of them. The success of bilingual multi-service and multi-government centres in Manitoba resides in their location in areas where Francophones feel at home and where the reflex is to speak in French.

Federal-provincial cooperation is easier today than it was 10 years ago, because the provinces and territories are more open to Francophone affairs. Discussions to extend federal/provincial agreements to other areas should be pursued. Such agreements facilitate dialogue between the two levels of government. We can see Service Canada representatives (the reporting minister) taking part in the Ministerial Conference on Francophone Affairs.

- **Service Canada: Matching Federal Programs and Services with OLMC Priority Development Objectives**

The dialogue with Service Canada needs to be formalized. Perhaps it would be useful to set up a national or some provincial coordinating committees. The participants were reluctant to set up yet another structure, but if Service Canada were to take on the

broader mandate of identifying how OLMCs and the departments can work together more effectively, a joint planning structure would be required.

While there is no need to go overboard, structures are important for implementing joint planning. However, delegation of authority to community organizations has its risks. In particular, it is essential to avoid seeing OLMCs as a convenient way out and downloading responsibilities to them if they don't have the required resources. A tripartite committee (federal, provincial and community involvement) for service in French is even a possibility.

To make the new facilitator mandate a success, the other departments would also have to agree to be involved in community planning and take an interest in OLMC development.

- **Measuring Service Capacity: Evaluating Progress**

This topic was covered both in the discussion of a service delivery model and in the one dealing with ways the government could address its Part VII responsibilities under the OLA. One very concrete suggestion regarding the capacity to serve Francophone communities is to establish targets for progressing towards a capacity to serve 100% of OLMCs in person via some means or another. For instance, by setting a baseline (current capacity) of 75% of OLMC Canadians in 2006, the following targets could be set:

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The suggestion was also made that the concept of evaluating progress should be applied to government employee performance in the field. For instance, Service Canada management could identify targets for contact with OLMCs (e.g. 50 clients per year). A government employee would thus be responsible for working towards that frequency of contact.

### **Issue #3: Part VII: Service Canada's Contribution to OLMC Development and Vitality**

The participants were all in agreement that leasing office space in community buildings, offering training, allocating resources and hiring employees from within OLMCs are classic illustrations of the kind of contribution contemplated under Part VII. But much more needs to be done. The obligation to consult has to go beyond what a number of departments are doing now. One-day meetings held on a yearly basis do not meet the spirit of the law, in the participants' view.

The absence of regulations for Part VII means that useful strategies for achieving OLMC development and vitality must be adopted. The important thing to remember is that the departments' obligation to promote linguistic duality must not be overlooked.

It is increasingly difficult to dissociate Part IV and Part VII. The consultations confirmed that Part VII compliance necessarily involves the ability to offer service in the OLMCs' language of choice. Bill S-3 gives a broadened perspective of the measures that federal departments must take. The starting point may be more in-depth research into the Francophone presence and proposals for mechanisms that are capable of serving the communities. The participants noted that there is too little research into OLMC development,



just as there is too little evaluation of the progress made by departments towards greater equality for OLMCs in Canada. The first task may be to develop a list of priority needs as identified by the OLMCs and a list of the programs that could meet those needs. Service Canada and the OLMCs may then be able to use this document as a basis for some joint planning.

#### **4. Guidelines Stemming from the Consultations**

In this section, we have tried to identify some common threads among the most incisive and relevant comments we heard from the many community leaders from across Canada who took part in the Service Canada consultations. In developing a strategy for the OLMC segment, Service Canada should prioritize the following:

➤ **Quality Service Equal to Service to the Majority**

The OLMC representatives, whether Anglophones from Quebec or Francophones from elsewhere in Canada, clearly expressed how difficult it is for them to receive service equal in quality to what the majority language community receives. Some mentioned occasional lack of service due to the absence of the one person designated to provide service, and some said that the office was simply unable to offer the service on a permanent basis. Others pointed to overly long wait times for service in the language of their choice. Despite the enviable status that Service Canada seems to enjoy among OLMCs from coast to coast, many participants indicated that its current offices must continue to increase their bilingual capacity. The dominant organizational culture systematically assumes that government action takes place in French in Quebec and in English everywhere else.

Some people told us about other types of inequality related to the offices' language capacity, such as grant applications that are distorted by clumsy translations into the majority language.

The guideline underlying these findings is that OLMCs expect quality service that is equal to the service provided to the majority and is delivered within reasonable timeframes.

➤ **Easy-to-Access Service with a Community Presence**

The wide variety of OLMC realities makes it impossible to identify a single service delivery mechanism for the entire country. However, the message that was conveyed throughout our consultations was the importance of ensuring access to service in the official language of the client's choice and the need to provide more information and programs that are considered relevant by the OLMCs. The consultations also indicated to us that communities really wanted service to be provided through their existing community infrastructure. There was a consensus that Service Canada's short-term priority for its OLMC clientele should be to ensure the presence and strategic location of service points.

### ➤ **Clear, Easy-to-Understand Communications**

The OLMCs highlighted the importance of accessible tools (brochures, pamphlets, etc.) that explain the various services provided via the Service Canada gateway. Both the documentation and the in-person service must take into consideration some important factors, such as:

- Use of the local vernacular
- High illiteracy rates in some communities
- Limited skills in the minority language
- Knowledge and use of community communications tools by government employees

These considerations (adaptation to local Francophone dialects and language barriers) are too seldom factored into the development of service strategies for Canadians. Yet they are crucial for the development of a relationship of trust and for effective communication between the government and the people. OLMCs are official language speakers, but more importantly, they have a unique culture based on their history and socio-linguistic situation. If the government genuinely wants to reorient its services to meet the needs of communities and community members rather than deliver programs from departmental silos, it needs to take an interest in those cultures and get to know them better.

### ➤ **Promoting Active Demand for Service**

Many stakeholders wanted to stress that even when an active offer is made, many community members are unaware of their rights and are hesitant when faced with a sometimes imposing bureaucracy. The staff assigned to deliver service in minority settings must work with community leaders to raise awareness of and promote OLMC language rights.

### ➤ **A Well-Developed Brand for Service Canada**

The consultation participants told us how important it was to explain and identify exactly what "Service Canada" is. Service Canada is still evolving and now is the perfect time to develop a brand that clearly identifies the possibilities it offers. The goal should be to build an organization that not only provides service in both official languages but also allows Service Canada to be a true partner in OLMC development. OLMC members must recognize the Service Canada service point as one of the levers of their community, not merely a conduit for information. They have to see it as a place not just for doing transactions and obtaining information but also for exploring opportunities for development of projects and initiatives. Eventually, Service Canada must be perceived as a community gathering-place that offers the full range of Government of Canada resources.

### ➤ **Need to Go Beyond the Treasury Board Regulations**

The OLMCs clearly expressed their desire to broaden the criteria that give them access to Government of Canada services. Although the regulations as they stand do allow for service to a

significant part of linguistic minority Canada, the solely quantitative approach must be rethought. The current regulations could be improved by taking into consideration other, more qualitative factors, such as:

- An index of community vitality that factors in variables such as the existence of a school/community centre, school, bilingual municipality, parish, community infrastructure or historical OLMC presence.

These qualitative criteria would complement the OLMC profile defined using the quantitative criteria of significant demand under the Treasury Board regulations. The qualitative criteria should help identify OLMCs that are smaller and more isolated or simply divided up or watered down by the census divisions used to calculate significant demand.

In addition, the list of departments covered by the regulations must be reviewed and expanded. A number of people told us that the list developed in 1992, when the regulations were adopted, no longer meets the growing needs of OLMCs.

#### ➤ **Flexibility and Adapting the Government System to OLMC Realities in Developing Service Delivery Mechanisms**

Over and over again, the OLMC representatives told us how important it was for federal services to be much better tailored to OLMC realities (rural settings, often invisible minority, illiteracy, dispersal in urban centres, etc.). Enthusiasm for third-party delivery of services by community organizations varies from one part of the country to another. The single window model has some support, for instance in Nova Scotia and Manitoba, but community organizations in other provinces, such as Alberta, prefer to provide the access point for government services themselves, if possible. Either way, the following must be considered:

- A) Community infrastructure should be used to deliver Service Canada services and programs, if the capacity is there;
- B) Wherever possible, the federal government should have a physical presence in the community;
- C) The work of community organizations should not be duplicated; and
- D) Service should be consistent in quality and supported by sufficient resources.

#### ➤ **Greater Leadership in Interdepartmental Coordination of Programs Offered to OLMCs**

The OLMCs would like to see Service Canada play a greater role in the Government of Canada's interdepartmental strategy with respect to *Official Languages Act* obligations. Service Canada's official languages team (formerly part of HRSDC) has established some credibility due to its involvement in setting up and implementing the Enabling Fund, which supports the RDÉE organizations in Canada, and in starting other successful partnerships with OLMCs. The communities would therefore like Service Canada to play a greater role in delivering services and programs to OLMCs.

➤ **Giving Service Canada a Broader Mandate to Deliver Federal Services of Interest to OLMCs**

A leadership role in interdepartmental coordination could mean that Service Canada would become the stakeholder of choice at community level for the identification of OLMC needs and existing programs that can best meet those needs. We should point out that community leaders proposed on more than one occasion that Service Canada, over the medium term, be the delivery mechanism for all services and programs that contribute to OLMC development and vitality. At the same time, OLMCs stressed that this type of scenario should not be turned into a way of relieving departments of their obligations to OLMCs. The broader mandate must start with an identification of OLMCs' priority development needs and an assessment of the federal programs currently in existence that could meet those needs. The representatives clearly felt that the extensive presence of Service Canada in the communities, coupled with a new approach involving partnership with OLMCs, would enable it to be a key player in official language minority community development.

➤ **Simplifying and Standardizing OLMC Consultation Mechanisms**

The OLMCs generally applauded the consultation process used by Service Canada. However, they were critical of the cumbersomeness of consultation processes overall, spread throughout the year and held in various different geographic locations by increasing numbers of departments that all want to identify OLMC priorities. The communities have noted a keener grasp of the objectives and purpose of the *Official Languages Act* on the part of more departments, but they suggested that Service Canada, by virtue of its horizontal structure and its extensive presence in the communities, should take the lead in developing a simpler, more standardized mechanism for consultation and partnership between the government and the OLMCs. During the consultation exercise, no one suggested that a new organization or structure be established to provide greater community coordination designed to identify OLMC needs. However, the consultations did reveal that OLMCs would be pleased to see Service Canada take on a greater leadership role in coordinating and establishing a better-designed consultation process that is part of a true partnership.

## Appendix 1

### List of Participants in the Service Canada Consultations

#### Atlantic Consultation

##### New Brunswick

- Daniel Thériault, executive director  
Société des Acadiens et des Acadiennes du Nouveau-Brunswick
- Théo Gagnon, treasurer  
Société des Acadiens et des Acadiennes du Nouveau-Brunswick
- Johanne Lévesque, executive director  
RDÉE New Brunswick
- Nancy Rousselle, development officer  
RDÉE New Brunswick
- Anne-Marie Cyr  
Conseil économique du Nouveau-Brunswick

##### Nova Scotia

- Jean Léger, executive director  
Fédération acadienne de la Nouvelle-Écosse
- Yvon Samson, coordinator  
RDÉE Nova Scotia
- Allister Surette, vice rector, development and partnerships  
Université Sainte-Anne
- Lisette Bourgeois  
Société St-Pierre

##### Prince Edward Island

- Lizanne Thorne, executive director  
Société Saint-Thomas-d'Aquin
- Francis Thériault, coordinator  
RDÉE PEI
- Colette Aucoin  
Société éducative

##### Newfoundland and Labrador

- Cyralda Poirier, acting executive director  
Fédération des francophones de Terre-Neuve et du Labrador
- Josée Dalton, coordinator  
RDÉE Newfoundland & Labrador
- Claire Wilkshire  
RDÉE Newfoundland & Labrador

#### West/North Consultation

##### British Columbia

- Christine Sotteau  
Government relations and research coordinator  
Fédération des francophones de la Colombie-Britannique
- Nicole Legault  
Interdepartmental cooperation coordinator  
Fédération des francophones de la Colombie-Britannique
- Donald Cyr

Executive director  
Société de développement économique de la Colombie-Britannique (SDECB)

#### Alberta

- Denis Perreux  
Director of planning and government relations  
Edmonton, ACFA
- Frank Saulnier  
CEO  
RDÉE Alberta
- Louis Grenier  
Businessman  
Calgary
- Luketa M'pindou  
Coordinator  
Alliance Jeunesse-Famille de l'Alberta Society

#### Saskatchewan

- Denis Desgagné  
Executive director  
Assemblée communautaire fransaskoise
- Robert Therrien  
Executive director  
Conseil de la Coopération de la Saskatchewan (CCS)  
RDÉE
- Ronald Labrecque  
Director, Guichet unique  
Regina

#### Manitoba

- Louis Tétrault  
CDEM development officer
- Edmond Labossière  
Former senior provincial government official (establishment of bilingual service centres)
- Muriel Thérien  
Manager, Réseau communautaire  
Saint-Malo

#### Yukon

- Bruno Bourdache  
Director, RDÉE Yukon

#### Northwest Territories

- Léo-Paul Provencher  
Director, Fédération franco-téNOise

#### Ontario Consultation

#### Ontario

- Gratien Allaire  
Institut franco-ontarien  
Laurentian University
- Jean-Denis Barry, RDÉE  
Officer in rural, central/southwest Ontario
- Guy Robichaud, RDÉE  
Regional director (north)
- Paul Onadja, RDÉE

- Regional director (east)
- Kathy Chaumont  
Rural sector officer (Alfred)
- Gaston Mabaya  
Executive director, ACFO London-Sarnia
- Michèle Guay  
Executive director, Fédération des Aînés
- Eddy Lukuna  
Union provinciale des Minorités raciales et ethnoculturelles francophones
- Guylaine Scherer  
Direction Ontario
- Elaine Legault  
Executive director, C.O.F.R.D. (Oshawa)
- Suzanne Roy, AFO  
Community development
- Renée Champagne  
Collège Boréal (Vice-President)
- Mireille Groleau  
Office of the Commissioner of Official Languages, Liaison Officer
- France Bélanger-Houle  
Collège Boréal (employment)
- Stéphanie Taylor  
FESFO
- Camille Carrière  
FESFO
- Grégoire de Carvalho  
Centre des jeunes de Toronto

### Quebec Consultation

- David D'Aoust  
Community Table
- Sarah Blumel  
COCO
- Robert Donnelly  
Voice of English Speaking Quebec
- Kim Harrison  
Committee for Anglophone Social Action
- Iris Unger  
Youth Employment Services Montreal
- Heather Dickson  
Quebec Community Newspapers Association
- James Buckle  
Coasters' Association
- Élise Ménard  
Quebec Drama Federation
- Mitch Larivière  
Neighbours Regional Association of Rouyn-Noranda
- Deborah Hook  
Quebec Community Groups Network
- Tina Michaud  
Outaouais CEDEC

- Joanne Lebel  
Magdalen Islands CEDEC
- Anria Hamel  
Abitibi-Temiscamingue CEDEC
- John Buck  
Community Table
- Elizabeth Kater  
Community Table
- Hugh Maynard  
Qu'Anglo Communications and Consulting
- Vilnis Epnors  
QAAC
- Joanne Toms  
Québec-Chaudière-Appalaches CEDEC
- Janet Forsyth  
East Montréal Placement Initiative
- Annie May Anderson  
CEDEC
- Valerie Glover-Drolet  
CEDEC

### National Consultation

- Diane Côté  
FCFA
- Raymond Poirier  
RDÉE
- Roger Lavoie  
RDÉE
- Richard Aubry  
RDÉE
- Pierre LeBlanc  
RDÉE
- Fernan Carrière  
Fédération canadienne pour l'alphabétisation en français
- Béatrice Lajoie  
Alliance des radios communautaires francophones
- Marc Ryan  
Fédérations des aînés francophones
- Jean-Luc Racine  
Fédérations des aînés francophones
- Renald Rémillard  
Association des juristes d'expression française
- Christian Michaud  
Legal consultant, language rights
- Christiane Langlois  
Alliance des femmes francophones
- Edmond Labossière  
Manitoba citizen and former provincial government official



## Appendix 2

### Synopsis of Parts IV and VII, taken from "The Official Languages Act, 1988: Synopsis", Office of the Commissioner of Official Languages, 2000.

#### Part IV - Communications with and services to the public (Part IV: Sections 21-33)

- Any member of the public has a right to communicate with and receive available services from federal institutions in accordance with this Part.
  
- The public has a right to communicate with and receive services in either official language:
  - from any head or central office;
  - in the National Capital Region and at any other office or facility in Canada or abroad, (a) where there is "significant demand" or (b) wherever it is reasonable owing to the "nature of the office"; and
  - when travelling and when there is also "significant demand".
  
- "Nature of the office" includes such considerations as public health, safety and security, the location of the office, or its "national or international" mandate.
  
- Regulations giving a precise definition of "nature of the office" and "significant demand" were issued in 1992.
  
- Offices or facilities designated to provide bilingual service are to give clear verbal and/or visual indications of their readiness to do so. This is referred to as "active offer" of service.
  
- Services provided by third parties on behalf of federal institutions are to be offered on the same basis as if they were being provided by the institutions themselves.
  
- Federal bodies with regulatory powers affecting public health, safety and security are to use those powers "wherever it is reasonable to do so", to ensure that the organizations they regulate are able to serve the public in both languages to the extent required.
  
- When providing information to the public, federal institutions are to use whatever media are necessary for effective and efficient communication in the appropriate language.

## **Part VII – Advancement of English and French (Part VII: Sections 41-45)**

- The Act assigns to Canadian Heritage the duty of co-ordinating the activities of all federal institutions in promoting the development of the linguistic minorities and fostering the recognition and use of English and French in Canadian society.
  
- In doing so, Canadian Heritage must take measures to:
  - encourage and assist the provinces to provide minority and second-language education, as well as provincial and municipal services in both official languages;
  
  - encourage and co-operate with business, labour and the voluntary sector to provide services in both official languages; and
  
  - foster an acceptance and appreciation of both English and French by members of the public.

## Appendix 3

### Official Languages (Communications with and Services to the Public) Regulations

SOR/92-48

Registration December 16, 1991

#### OFFICIAL LANGUAGES ACT

#### Official Languages (Communications with and Services to the Public) Regulations

P.C. 1991-2541 December 16, 1991

Whereas, pursuant to section 84 of the Official Languages Act\*, the President of the Treasury Board has sought the views of members of the English and French linguistic minority communities and members of the public generally on the proposed Regulations concerning communications with and services to the public in either official language;

Whereas, pursuant to section 85 of the said Act, the President of the Treasury Board has laid a draft of the proposed Regulations before the House of Commons on November 8, 1990, which date is at least thirty days before a copy of the proposed Regulations was published in the *Canada Gazette* under section 86 of the said Act;

And Whereas, pursuant to section 86 of the said Act, the proposed Regulations were published in the *Canada Gazette* on March 23, 1991, which date is at least thirty days before the proposed effective date thereof, and a reasonable opportunity was thereby afforded to interested persons to make representations to the President of the Treasury Board with respect thereto;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Treasury Board, pursuant to section 32 of the Official Languages Act\*, is pleased hereby to make the annexed Regulations respecting communications with and services to the public in either official language.

\* R.S., c. 31 (4th Supp.)

#### REGULATIONS RESPECTING COMMUNICATIONS WITH AND SERVICES TO THE PUBLIC IN EITHER OFFICIAL LANGUAGE

#### SHORT TITLE

1. These Regulations may be cited as the *Official Languages (Communications with and Services to the Public) Regulations*.

## INTERPRETATION

2. In these Regulations,

"Act" means the *Official Languages Act*; (*Loi*)

"CMA" means a census metropolitan area, excluding Ottawa-Hull, as used by Statistics Canada for the purposes of the census referred to in section 3; (*région métropolitaine de recensement*)

"CSD" means a census subdivision, excluding any CSD or any part thereof within the National Capital Region, as used by Statistics Canada for the purposes of the census referred to in section 3; (*subdivision de recensement*)

"immigration services" means services that are provided, powers that are exercised and duties and functions that are performed by an immigration officer under the *Immigration and Refugee Protection Act*, other than services provided, powers exercised or duties or functions performed under that Act by an officer as defined in section 2 of the *Customs Act*; (*services d'immigration*)

"Method I" means the method of estimating first official language spoken that is described as Method I in *Population Estimates by First Official Language Spoken*, published by Statistics Canada in September 1989, which method gives consideration, firstly, to knowledge of the official languages, secondly, to mother tongue, and thirdly, to language spoken in the home, with any cases in which the available information is not sufficient for Statistics Canada to decide between English and French as the first official language spoken being distributed equally between English and French; (*méthode I*)

"route" means

(a) for the purposes of paragraphs 7(4)(c) and (d), a route on which a federal institution provides the travelling public with a transportation service by aircraft or train that is carried out by a single conveyance, and

(b) for the purposes of subsection 7(2) and paragraph 7(4)(e), a route on which a federal institution provides the travelling public with a two-way transportation service by aircraft, train or ferry between the starting and finishing points of a flight, train run or ferry crossing that is carried out by a single conveyance between those two points, with or without intermediate stops. (*trajet*) 2001, c. 27, s. 273.

## PART I: SIGNIFICANT DEMAND

### *Definition of English or French Linguistic Minority Population*

3. "English or French linguistic minority population" means that portion of the population in a province in which an office or facility of a federal institution is located that is the numerically lower

official language population in the province, as determined by Statistics Canada under Method I on the basis of

(a) for the purposes of paragraphs 5(1)(a), (b) and (d) to (f), subsection 5(2) and paragraph 7(4)(a),

(i) before the results of the 1991 census of population are published, the 1986 census of population taken pursuant to the *Statistics Act*, and

(ii) after the results of the 1991 census of population are published, the most recent decennial census of population for which results are published; and

(b) for the purposes of paragraphs 5(1)(c) and 6(1)(d) and (2)(c), subparagraphs 6(2)(d)(i) and 7(4)(c)(ii) and (iii) and paragraph 7(4)(d), the 1986 census of population taken pursuant to the *Statistics Act*.

### ***Calculation of Population Numbers***

**4.** (1) For the purposes of this Part, the number of persons of the English or French linguistic minority population in a province, CMA, CSD or service area is equal to the estimated number of persons of that population in that province, CMA, CSD or service area as determined by Statistics Canada under Method I on the basis of the census referred to in section 3.

(2) For the purposes of this Part, the total population in a province, CMA, CSD or service area is equal to the estimated total population, excluding institutional residents as defined in *Population Estimates by First Official Language Spoken*, published by Statistics Canada in September 1989, in that province, CMA, CSD or service area as determined by Statistics Canada on the basis of the census referred to in section 3.

### ***General Circumstances***

**5.** (1) For the purposes of paragraph 22(b) of the Act, there is significant demand for communications with and services from an office or facility of a federal institution in both official languages where

(a) the office or facility is located in a CMA that has at least 5,000 persons of the English or French linguistic minority population and is the only office or facility of the institution in the CMA that provides a certain service;

(b) the office or facility is located in a CMA that has at least 5,000 persons of the English or French linguistic minority population, the office or facility is one of two or more offices or facilities of the institution in the CMA that provide the same services and those services are not available in both official languages at a proportion of those offices or facilities that is at least equal to the proportion of that population in the CMA to the total population in the

CMA or, if the number representing that proportion of offices is equal to less than one, at at least one of those offices or facilities, the choice of which depends on

- (i) the distribution of the linguistic minority population within the CMA, and
- (ii) the function of the offices or facilities that provide those services, their clientele and their location within the CMA;

(c) the office or facility is located in a province in which the English or French linguistic minority population is equal to at least 5 per cent of the total population in the province and is located in a CMA that has a population of at least 1,000,000 persons, the office or facility is one of two or more offices or facilities of the institution in the CMA that provide any of the services referred to in subparagraphs (f)(i) to (vi) and those services are not available in both official languages at one office plus at a proportion of those offices or facilities that is at least equal to the proportion of that population in the CMA to the total population in the CMA or, if the number representing that proportion of offices is equal to less than one, at at least two of those offices or facilities, the choice of which depends on

- (i) the distribution of the linguistic minority population within the CMA, and
- (ii) the function of the offices or facilities that provide those services, their clientele and their location within the CMA;

(d) the office or facility is located in a CMA that has fewer than 5,000 persons of the English or French linguistic minority population and does not provide any of the services referred to in subparagraphs (f)(i) to (vi), and at that office or facility over a year at least 5 per cent of the demand from the public for services is in the official language of that population;

(e) the office or facility is located in a CMA that has fewer than 5,000 persons of the English or French linguistic minority population and the service area of the office or facility has at least 5,000 persons of the linguistic minority population;

(f) the office or facility is located in a CMA that has fewer than 5,000 persons of the English or French linguistic minority population and is the only office or facility of the institution in the CMA that provides

- (i) services related to income security programs of the Department of National Health and Welfare,
- (ii) services of a post office,
- (iii) services of an employment centre of the Department of Employment and Immigration,

- (iv) services of an office of the Department of National Revenue (Taxation),
- (v) services of an office of the Department of the Secretary of State of Canada, or
- (vi) services of an office of the Public Service Commission;

(g) the office or facility is located in a CMA that has fewer than 5,000 persons of the English or French linguistic minority population, the office or facility is one of two or more offices or facilities of the institution in the CMA that provide any of the services referred to in subparagraphs (f)(i) to (vi) and those services are not available in both official languages at a proportion of those offices or facilities that is at least equal to the proportion of that population in the CMA to the total population in the CMA or, if the number representing that proportion of offices is equal to less than one, at at least one of those offices or facilities, the choice of which depends on

- (i) the distribution of the linguistic minority population within the CMA, and
- (ii) the function of the offices or facilities that provide those services, their clientele and their location within the CMA;

(h) the office or facility is located outside a CMA and within a CSD and

(i) the service area of the office or facility has at least 500 persons of the English or French linguistic minority population and the number of those persons is equal to at least 5 per cent of the total population of that service area,

(ii) the service area of the office or facility has at least 5,000 persons of the English or French linguistic minority population,

(iii) the office or facility serves the CSD and is the only office or facility of the institution in the CSD that provides a certain service, the CSD has at least 500 persons of the English or French linguistic minority population and the number of those persons is equal to at least 5 per cent of the total population in the CSD, or

(iv) the service area of the office or facility includes all or part of two or more provinces in which the languages of the English or French linguistic minority populations are not the same;

(j) the office or facility is located outside a CMA and within a CSD that it serves, the CSD has at least 500 persons of the English or French linguistic minority population, the number of those persons is equal to at least 5 per cent and less than 30 per cent of the total population in the CSD, the office or facility is one of two or more offices or facilities of the institution in the CSD that provide the same services and those services are not available in both official languages at a proportion of those offices or facilities that is at least equal to the proportion of that population in the CSD to the total population in the CSD or, if the

number representing that proportion of offices is equal to less than one, at at least one of those offices or facilities, the choice of which depends on

- (i) the distribution of the linguistic minority population within the CSD, and
- (ii) the function of the offices or facilities that provide those services, their clientele and their location within the CSD;

(j) the office or facility is located outside a CMA and within a CSD that it serves, the CSD has at least 500 persons of the English or French linguistic minority population, the number of those persons is equal to at least 30 per cent of the total population in the CSD and the office or facility is one of two or more offices or facilities of the institution in the CSD that provide the same services;

(k) the office or facility is located outside a CMA and within a CSD that it serves, the CSD has at least 500 persons of the English or French linguistic minority population, the number of those persons is equal to less than 5 per cent of the total population in the CSD, the office or facility does not provide any of the services referred to in subparagraphs (j)(i) to (vii) and at that office or facility over a year at least 5 per cent of the demand from the public for services is in the official language of the linguistic minority population;

(l) the office or facility is located outside a CMA and within a CSD that it serves, the CSD has at least 500 persons of the English or French linguistic minority population, the number of those persons is equal to less than 5 per cent of the total population in the CSD and the office or facility is the only office or facility of the institution in the CSD that provides

- (i) services related to income security programs of the Department of National Health and Welfare,
- (ii) services of a post office,
- (iii) services of an employment centre of the Department of Employment and Immigration,
- (iv) services of an office of the Department of National Revenue (Taxation),
- (v) services of an office of the Department of the Secretary of State of Canada,
- (vi) services of a detachment of the Royal Canadian Mounted Police, or
- (vii) services of an office of the Public Service Commission;

(m) the office or facility is located outside a CMA and within a CSD that it serves, the CSD has at least 500 persons of the English or French linguistic minority population, the number of those persons is equal to less than 5 per cent of the total population in the CSD, the



office or facility is one of two or more offices or facilities of the institution in the CSD that provide any of the services referred to in subparagraphs (j)(i) to (vii) and those services are not available in both official languages at a proportion of those offices or facilities that is at least equal to the proportion of that population in the CSD to the total population in the CSD or, if the number representing that proportion of offices is equal to less than one, at at least one of those offices or facilities, the choice of which depends on

(i) the distribution of the linguistic minority population within the CSD, and

(ii) the function of the offices or facilities that provide those services, their clientele and their location within the CSD;

(n) the office or facility is located outside a CMA and within a CSD that it serves, the CSD has at least 200 and fewer than 500 persons of the English or French linguistic minority population, the number of those persons is equal to at least 5 per cent of the total population in the CSD, the office or facility does not provide any of the services referred to in subparagraphs (j)(i) to (vii) and at that office or facility over a year at least 5 per cent of the demand from the public for services is in the official language of the linguistic minority population;

(o) the office or facility is located outside a CMA and within a CSD that it serves, the CSD has at least 200 and fewer than 500 persons of the English or French linguistic minority population, the number of those persons is equal to at least 5 per cent of the total population in the CSD, the office or facility provides any of the services referred to in subparagraphs (j)(i) to (vii) and those services are not available in both official languages at at least one office or facility of the institution in the CSD;

(p) the office or facility is located outside a CMA and within a CSD that it serves, the CSD has fewer than 200 persons of the English or French linguistic minority population, the number of those persons is equal to at least 30 per cent of the total population in the CSD and the office or facility provides any of the services referred to in subparagraphs (j)(i) to (vii);

(q) the office or facility is located outside a CMA and within a CSD that it serves, the number of persons of the English or French linguistic minority population in the CSD has not been determined by Statistics Canada under Method I on the basis of the census referred to in section 3, or cannot be disclosed by Statistics Canada for reasons of confidentiality, and at that office or facility over a year at least 5 per cent of the demand from the public for services is in the official language of that population; or

(r) the office or facility is located outside a CMA and within a CSD, the number of persons of the English or French linguistic minority population in the service area of the office or facility cannot be determined by Statistics Canada under Method I on the basis of the census referred to in section 3 because of the nature of the service area or cannot be disclosed by Statistics Canada for reasons of confidentiality, and at that office or facility

over a year at least 5 per cent of the demand from the public for services is in the official language of that population.

(2) For the purposes of paragraph 22(*b*) of the Act, there is significant demand for communications with and services from an office or facility of a federal institution in the official language that is not the official language of the English or French linguistic minority population where the office or facility is located in Canada and is not an office or facility at which there is significant demand in both official languages under subsection (1).

(3) For the purposes of paragraph 22(*b*) of the Act, there is significant demand for communications with and services from an office or facility of a federal institution in an official language where the office or facility is located outside Canada and at that office or facility over a year at least 5 per cent of the demand from the public for services is in that language.

(4) Subsections (1) to (3) do not apply in respect of

(*a*) services described in paragraph 6(1)(*a*); or

(*b*) an office or facility described in any of paragraphs 6(1)(*b*) to (*e*), subsection 6(2) or section 7.

### *Specific Circumstances*

6. (1) For the purposes of paragraph 22(*b*) of the Act, there is significant demand for communications with and services from an office or facility of a federal institution in an official language where

(*a*) the services provided by the office or facility are provided to a restricted clientele, the members of which are identifiable, those services are specifically intended for that clientele and at that office or facility over a year at least 5 per cent of the demand from that clientele for those services is in that language;

(*b*) the office or facility provides ship-to-shore communications services, including coast radio station services and vessel traffic services, and at that office or facility over a year at least 5 per cent of the demand from the public for those services is in that language;

(*c*) the office or facility provides immigration services and is located at a place of entry into Canada, and at that office or facility over a year at least 5 per cent of the demand from the public for those services is in that language;

(*d*) the office or facility provides services other than immigration services and is located at a place of entry into Canada, other than an airport or a ferry terminal, in a province in which the English or French linguistic minority population is equal to at least 5 per cent of the total population in the province, and at that office or facility over a year at least 5 per cent of the demand from the public for services is in that language; or

(e) the office or facility provides search and rescue services from a vessel that has long-range capabilities or from an aircraft, the vessel or aircraft from which the service is provided is distinctively marked by the Department of National Defence or the Canadian Coast Guard as a search and rescue vessel or aircraft or is crewed by the Department of National Defence with personnel specially trained for search and rescue operations, and at that office or facility over a year at least 5 per cent of the demand from the public for those services is in that language.

(2) For the purposes of paragraph 22(b) of the Act, there is significant demand for communications with and services from an office or facility of a federal institution in both official languages where

(a) the office or facility provides ship-to-shore communications services, including coast radio station services and vessel traffic services, and the service area of the office or facility includes all or a portion of the Bay of Fundy, the St. Lawrence River or the Gulf of St. Lawrence up to the innermost limit of Cabot Strait, but not including Cabot Strait, and up to the southern limit of the Strait of Belle Isle, but not including the Strait of Belle Isle;

(b) the office or facility provides air traffic control services and related advisory services in circumstances in which either official language may be used pursuant to the *Aeronautical Communications Standards and Procedures Order*;

(c) the office or facility provides services other than immigration services and is located at a place of entry into Canada, other than an airport or ferry terminal, in a province in which the English or French linguistic minority population is equal to at least 5 per cent of the total population in the province, and at that place of entry at least 500,000 persons come into Canada in a year; or

(d) the office or facility provides search and rescue services from a vessel that has long-range capabilities or from an aircraft, the vessel or aircraft from which the service is provided is distinctively marked by the Department of National Defence or the Canadian Coast Guard as a search and rescue vessel or aircraft or is crewed by the Department of National Defence with personnel specially trained for search and rescue operations, and the office or facility provides those services

(i) in or over a province in which the English or French linguistic minority population is equal to at least 5 per cent of the total population in the province,

(ii) in or over Hudson Bay, Hudson Strait or James Bay, or

(iii) in or over an area that falls within the boundaries of the Halifax Search and Rescue Region as set out in Annex 3B of the *National Search and Rescue Manual*, published by the Department of National Defence and the Canadian Coast Guard, as amended from time to time.

7. (1) For the purposes of subsection 23(1) of the Act, there is significant demand for services to the travelling public, other than air traffic control services and related advisory services, from an office or facility of a federal institution in an official language where the facility is an airport, railway station or ferry terminal or the office is located at an airport, railway station or ferry terminal and at that airport, railway station or ferry terminal over a year at least 5 per cent of the demand from the public for services is in that language.

(2) For the purposes of subsection 23(1) of the Act, there is significant demand for services to the travelling public from an office or facility of a federal institution in an official language where the office or facility provides those services on a route and on that route over a year at least 5 per cent of the demand from the travelling public for services is in that language.

(3) For the purposes of subsection 23(1) of the Act, there is significant demand for services to the travelling public, other than air traffic control services and related advisory services, from an office or facility of a federal institution in both official languages where the facility is an airport or the office is located in an airport and over a year the total number of emplaned and deplaned passengers at that airport is at least 1,000,000.

(4) For the purposes of subsection 23(1) of the Act, there is significant demand for services to the travelling public from an office or facility of a federal institution in both official languages where

(a) the facility is a railway station that serves the travelling public and

(i) is located in a CMA that has at least 5,000 persons of the English or French linguistic minority population, or

(ii) is located outside a CMA and within a CSD that has at least 500 persons of the English or French linguistic minority population and the number of those persons is equal to at least 5 per cent of the total population of the CSD;

(b) the facility is a ferry terminal located in Canada and over a year the total number of arriving and departing passengers at that ferry terminal is at least 100,000;

(c) the office or facility provides those services on board an aircraft

(i) on a route that starts, has an intermediate stop or finishes at an airport located in the National Capital Region, the CMA of Montreal or the City of Moncton or in such proximity to that Region, CMA or City that it primarily serves that Region, CMA or City,

(ii) on a route that starts and finishes at airports located in the same province and that province has an English or French linguistic minority population that is equal to at least 5 per cent of the total population in the province, or

(iii) on a route that starts and finishes at airports located in different provinces and each province has an English or French linguistic minority population that is equal to at least 5 per cent of the total population in the province;

(d) the office or facility provides those services on board a train

(i) on an interprovincial route that starts in, finishes in or passes through a province that has an English or French linguistic minority population that is equal to at least 5 per cent of the total population in the province, or

(ii) on a route that starts and finishes at railway stations located in the same province and that province has an English or French linguistic minority population that is equal to at least 5 per cent of the total population in the province; or

(e) the office or facility provides those services on board a ferry on a route on which over a year there are at least 100,000 passengers.

## **PART II: NATURE OF THE OFFICE**

### ***Health, Safety and Security of the Public***

**8.** For the purposes of paragraph 24(1)(a) of the Act, the circumstances that relate to the health, safety or security of members of the public are the following:

(a) where an office or facility of a federal institution provides emergency services, including first aid services, in a clinic or health care unit at an airport, railway station or ferry terminal;

(b) where an office or facility of a federal institution uses signage that includes words or standardized public announcements regarding health, safety or security in respect of

(i) passengers on aircraft, trains or ferries,

(ii) members of the public at airports, railway stations or ferry terminals, or

(iii) members of the public in or on the grounds of federal buildings; and

(c) where an office or facility of a federal institution uses written notices or signage that includes words for alerting the public to hazards of a radioactive, explosive, chemical, biological or environmental nature or to other hazards of a similar nature.

### ***Location of the Office***

**9.** For the purposes of paragraph 24(1)(a) of the Act, the circumstances that relate to the location of an office or facility of a federal institution are the following:

(a) where the office or facility is located in a park as defined in the *National Parks Act* or on land set aside as a National Historic Park in accordance with Part II of that Act and the office or facility does not provide the services referred to in paragraph (b);

(b) where the office or facility is located in a park or on land referred to in paragraph (a), the office or facility is one of two or more offices or facilities in the park or on the land that provide the services of a post office and those services are not available in both official languages at at least one of those offices or facilities;

(c) where the office or facility is located in such proximity to a park or land referred to in paragraph (a) that it provides specific services for visitors to the park or land and those services are not available in that park or on that land;

(d) where the office or facility is located in the Yukon Territory, serves the public generally and, of all offices or facilities of the institution in the Yukon Territory, is the office or facility at which over a year there is the greatest number of persons using the French language to request services; and

(e) where the office or facility is located in the Northwest Territories, serves the public generally and, of all offices or facilities of the institution in the Northwest Territories, is the office or facility at which over a year there is the greatest number of persons using the French language to request services.

### ***National or International Mandate of the Office***

**10.** For the purposes of paragraph 24(1)(a) of the Act, the circumstances that relate to the national or international mandate of an office of a federal institution are the following:

(a) where the office is a diplomatic mission or consular post;

(b) where the office is responsible for organizing or hosting an exposition, fair, exhibition, competition or game of national or international scope that is open to the public;

(c) where the office participates in an event referred to in paragraph (b);

(d) where the office is located in a province at a place of entry into Canada and is, of all offices located at a place of entry in that province, the office that in a year provides immigration services to the greatest number of persons seeking to come into Canada; and

(e) where the office provides services other than immigration services and is located in a province at a place of entry into Canada, other than an airport, that is the place of entry, other than an airport, where in that province the greatest number of persons come into Canada in a year.

### *Other Circumstances*

**11.** For the purposes of paragraph 24(1)(b) of the Act, the circumstances in which it is reasonable that communications with and services from an office or facility of a federal institution be available in both official languages are the following:

(a) where the office or facility serves one or more entire provinces and those services are

(i) correspondence services,

(ii) toll-free long-distance telephone services, or

(iii) local telephone services, if the office or facility provides the same services by toll-free long-distance telephone;

(b) where those communications and services are made available by the office or facility through an automated system accessible to the public and the communications and services are directly related to the operation of the system or consist of providing material or information that originated with the institution; and

(c) where those communications and services are the provision in an airport, railway station or ferry terminal of signage, including information display systems with respect to aircraft, train or ferry transportation services or baggage pick-up.

### **PART III: CONTRACT FOR SERVICES TO THE TRAVELLING PUBLIC**

**12.** (1) For the purposes of subsection 23(2) of the Act, services to the travelling public are the following:

(a) restaurant, cafeteria, car rental, travel insurance, ground transportation dispatch, foreign exchange, duty free shop and hotel services;

(b) self-service equipment, including automated banking machines and vending machines, and the provision of instructions for the use of public telephones and electronic games; and

(c) passenger screening and boarding services, public announcements and the provision of other information to the public, and carrier services, including counter services for tickets and check-in but excluding carrier services in respect of buses provided at railway stations or ferry terminals.

(2) Where a service referred to in subsection (1) is provided by means of printed or pre-recorded material, such as signs, notices and menus, car rental contracts and travel insurance policies for the travelling public, the material shall be provided in both official languages.

(3) Where a service referred to in subsection (1) is provided by means other than those referred to in subsection (2), the service shall be offered to the travelling public by such means as will enable any member of that public to obtain those services in the official language of his or her choice.

#### **PART IV: EFFECTIVE DATE**

**13.** (1) Sections 1 to 4, paragraphs 5(1)(a) to (c), (e) to (j), (l), (m), (o) and (p), subsections 5(2) and (4), paragraphs 6(2)(b) and (c), subsections 7(3) and (4), section 8, paragraphs 9(a) to (c) and sections 10 and 11 shall come into force one year after the date of registration of these Regulations by the Clerk of the Privy Council.

(2) Paragraphs 5(1)(d), (k), (n), (q) and (r), subsection 5(3), paragraphs 6(1)(a), (c) and (d), subsections 7(1) and (2) and paragraphs 9(d) and (e) shall come into force two years after the date of registration of these Regulations by the Clerk of the Privy Council.

(3) Paragraphs 6(1)(b) and (e) and (2)(a) and (d) and section 12 shall come into force three years after the date of registration of these Regulations by the Clerk of the Privy Council.