



Public Service Alliance of Canada
Alliance de la Fonction publique du Canada

**Notes for a Statement
to the Standing Committee
on Official Languages**

February 7th, 2008

First of all, I would like to thank the Committee for inviting us to appear before you today.

PSAC represents more than 160,000 workers in all areas of the country. We represent most employees in the Federal Public Service.

PSAC currently subscribes to the principles and objectives of the *Official Languages Act*. Respect for and promotion of the official languages policy in Canada is essential to ensuring that all Canadians have access to federal government services in the official language of their choice. It is also essential that workers in the designated bilingual regions be able to work in the language of their choice.

Unfortunately, some policies implemented by the federal government in recent years reflect a lack of willingness to help workers acquire, practice and maintain language skills in either of the official languages.

The abolition of the Court Challenges Program, which played a vital role in the defence and promotion of the rights of the official languages minorities across Canada, is an indication to us that this government does not take to heart the legal and constitutional obligations with respect to language rights. Apart for the funding of test cases dealing with school rights in various provinces, or on the legal rights of accused persons who belong to a linguistic minority, federal support for the Court Challenges Program represented a tangible and effective commitment to ensuring respect for the linguistic rights and the rights to equality in Canada. We can only add

our voices to the numerous organizations which have demanded the reestablishment of funding for this very important federal program.

The lack of leadership by the current federal government on the issue of respect for language rights, which is reflected both in the abolition of certain programs, including the Court Challenges Program, and its abandonment of its responsibility as an employer, is most worrisome. We hope that this Committee will summon the federal government to answer for this.

In this presentation, we would like to discuss three issues: the key role of training, staffing and the importance of consulting with bargaining agents and the leadership that is required to transform the linguistic “culture” in the workplace.

Training

In a society where the vast majority of the population does not have a good knowledge of both official languages, it behooves the federal government to shoulder its responsibilities to ensure that adequate language training is available for persons will be called upon to work in the Federal Public Service.

Recent data published by Statistics Canada in a December 2007 report entitled "The Evolving Linguistic Portrait -- 2006 Census" indicates that "The proportion of Canadians reporting being able to conduct a conversation in English and French increased to 17.4% in 2006. For

Anglophones, almost seven in 10 (68.9%) living in Quebec are bilingual, while this is the case for 7.5% of those living outside Quebec. For Francophones, the rate of bilingualism is 35.8% in Quebec and 83.6% for those living outside Quebec."

As an employer, the federal government must set an example with regards to bilingualism in the workplace. However, in the past three years, training programs and the budget relating thereto have been decentralized, which weakens the government's ability to develop a consistent approach in the area of language training. From now on, each department must decide on its priorities, and this includes language training. As result, this will produce an uneven approach devoid of any long-term planning, which is sometimes arbitrary.

All too often, persons in supervisory positions are encouraged to go on language training, while a number of people in lower-level positions are excluded from language training. Moreover, the training itself is no longer provided by the federal government but is contracted out. This produces uneven approaches which are ill-suited to the requirements of the workplace.

According to a study conducted by the federal government in 2002, we know that 17% of Anglophones employees reported that, due to a lack of access to language training, they have not been able to move up the career ladder as well as they had hoped. Francophone employees are experiencing the same problem which is more severe. Only 5% of all language training is allotted to Francophone employees. Moreover,

managers can generally avail themselves of language training programs. Conversely, workers in lower levels, more often not members of equity groups (visible racial groups, Aboriginals, the handicapped, women), do not have the same opportunities. Many of these employees are members of PSAC.

One illustration of the current problem is the situation at the Department of National Defence: it was recently decided that the requirement to have officers become competent in both official languages would be scrapped. What will happen, for example, when a unilingual Anglophone officer will take command of unilingual Francophone soldiers? Do the men and women make up for Armed Forces not have the right to receive orders from their senior officers in their mother tongue? As one of our colleagues, Yves Ducharme, the national president of the Agriculture Union, one of the Public Service Alliance of Canada components, wrote in a letter to MPs at the House of Commons:

“In moving to adopt these new regulations, it would seem to us that the Minister of National Defence is either unaware of the importance of the Official Languages Act, or has turned a blind eye to its provisions. Either case is unacceptable.”

According to PSAC, federal government must take its responsibility in order for workers to receive quality language training tailored to their needs. Funds for language training must be retained centrally and not be vulnerable to program reviews. In our opinion, language training must be provided to Anglophone and Francophone employees in all categories and professional groups. It must be provided to employees throughout their

careers, regardless of the area where they work. In addition, it must be paid for by the employer and provided during working hours and at the workplace.

Guidelines must be drafted on the access to language training so that this training is not turn down unfairly. Workers in the Federal Public Sector who are denied adequate language training should be able to resort to an appeal mechanism. Language training must also be provided us so that language skills, once acquired, are maintained.

Finally, a progressive bilingualism allowance must be paid and included as salary for purposes of computing pensions to recognize the value of knowing two official languages.

Staffing

The Public Service Alliance of Canada supports the bilingualism policy and does not question the bilingual designation of certain positions. However, we believe that this designation must be transparent and fair. Bilingualism must be a bona fide job requirement.

The determination of language requirements – the “linguistic profile” – must be transparent and fair such that positions only requiring limited exchanges in the second language have a profile different from those where native-like fluency is required.

Although the language designation of a position is the employer's responsibility would be well served if the latter consulted with bargaining agents. If the employer were open to this type of discussion, we believe that more creative solutions could be developed.

Workplace culture

Even the best language training could not produce tangible results if employees cannot practice their language skills in the workplace.

Managers must demonstrate leadership to establish in the workplace a culture that respects and is conducive to the use of both official languages.

This is just as important to persons belonging to a minority linguistic community – and this generally applies to Francophones – who normally cannot work in their first language because one or two colleagues are not bilingual.

The learning and retention of both official languages is therefore in everyone's best interest. It is a measure of professional advancement for some, respect for the fact that one can work in his/her mother tongue for others, and in all cases a gauge of better services to Canada's people.

In conclusion

In short, we recommend that the federal government:

- shoulder its responsibilities to ensure that adequate language training is available for persons will be called upon to work in the Federal Public Service;
- ensure that funds for language training be retained centrally and not be vulnerable to program reviews,
- provide language training to Anglophone and Francophone employees in all categories and professional groups throughout their careers, regardless of the area where they work. In addition, it must be paid for by the employer and provided during working hours and at the workplace;
- develop guidelines concerning access to training and implement an appeal process to handle cases where training is denied;
- ensure that the determination of language requirements is transparent and fair, following consultation with bargaining agents;
- encourage managers to demonstrate leadership to establish in the workplace a culture that respects and is conducive to the use of both official languages.
- re-instate funding for the Court Challenges Program