



# **Western Economic Diversification Canada**

## **2016-2019 Official Languages Action Plan (Web Version)**

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**1. Introduction**

Western Economic Diversification Canada's mandate is to promote the development and diversification of the economy of Western Canada and to advance the interests of the West in national economic policy, program and project development and implementation.

WD fulfills its *Official Languages Act* (OLA) commitments by having 1) an OL Team that has representation across the department and that is guided by Terms of Reference (TOR) and Roles and Responsibilities documents; 2) a departmental OL Policy; and 3) a multi-year departmental OL Action Plan that is monitored and the results of which are reported to WD's Executive Committee (EXCOMM).

WD participated in the previous federal strategies for Official Languages and is doing so again in the [Roadmap for Canada's Official Languages 2013-18: Education, Immigration, and Communities](#). Incremental to WD's own investments for Official Language Minority Communities (OLMCs) and official languages, the Roadmap provided WD with \$3.2 million under the Economic Development Initiative (EDI) to be delivered in Western Canada.

In the 2011-16 WD OL Action Plan, there was a two-fold focus. In the early years it was on **Renewal and Revitalization** as the OL Team underwent a large change in membership and organizational realignments. In the latter years, the focus was on **Governance, Culture and Awareness** in which the OL Team worked to strengthen governance of OL activities and to promote OL in the workplace.

The 2016-19 WD OL Action Plan will focus on **Diversity and Inclusion: Canada's Linguistic Duality** to which takes into consideration the strength that comes from diversity and multiculturalism within a bilingual Canada. The OL Team will work to increase awareness and understanding of OL in the workplace through information, training and activities to encourage a bilingual culture in the department. The focus can be changed from time to time to best reflect the government's or department's priorities.

**2. Legislative Background**

Canada's [Official Languages Act](#) came into force on September 9, 1969, granting English and French equal status as Canada's official languages. It was substantially amended in 1988 to ensure the full implementation of the language rights guaranteed in the 1982 Canadian *Charter of Rights and Freedoms*. The scope of the new Act was broadened and elaborated upon the rights of citizens and the obligations of federal institutions with respect to the language of services. The scope covered to two new areas: language of work (Part V) and the equitable participation of Francophones and Anglophones within the public service (Part VI). Finally, Part VII committed federal institutions to assisting in the development of official language minority communities and promoting English and French in Canadian society.

In 2005, Parliament adopted Bill S-3, which clarified the scope of Part VII of the OLA and the concept of "positive measures". Federal institutions were now required to take positive measures to both:

- 1) Enhance the vitality of English and French linguistic minority communities in Canada, and
- 2) Foster the full recognition and use of both English and French in Canadian society.

Federal institutions must show that their policies, programs, guidelines and priorities give due consideration to the interests and needs of official language minority communities, and help to promote the full recognition of both official languages in Canadian society. Moreover, should these obligations be breached, legal action was now possible.

### 3. The Official Languages Act

#### **Part IV – Communications with and Service to the Public:**

Any member of the public in Canada has the right to communicate with and to receive available services from federal institutions in accordance with this Part. Every federal institution has the duty to ensure that any member of the public can communicate with and obtain available services either official language from its head office, its offices within the National Capital Region and in Canada or elsewhere, where there is significant demand for communications with and services from that office or facility in that language.

Part IV includes the concept of “active offer” whereby federal institutions shall ensure that appropriate measures are taken, including the provision of signs, notices and other information on services and the initiation of communication with the public, to make it known to members of the public that those services are available in either official language of their choice.

Part IV also considers the concept of “substantive equality” which arose from the Supreme Court decision on the *Desrochers v. Canada (Industry)* case, (the CALDECH case) in February 2009. The decision gave further definition to the nature and scope of the principle of linguistic equality in the context of OLA Part IV. The Court stated that depending on the nature of the service and its objectives, the development and implementation of identical services for each official language community may not make it possible to achieve substantive equality. The Court indicated that the content of the principle of linguistic equality in government services is not necessarily uniform and federal institutions may need to determine if existing services need to be adapted to take into account the needs of the minority as well as those of the majority. As a result TBS developed a tool, the [analytical grid](#) to assist federal institutions to assess their programs for substantive equality.

Part IV section 25 covers third party delivery services where every federal institution has the duty to ensure that, where services are provided or made available by another person or organization on its behalf, any member of the public in Canada or elsewhere can communicate with and obtain those services from that person or organization in either official language in any case where those services, if provided by the institution, would be required under this Part to be provided in either official language.

After each Census in which OLMCs statistics are tabulated, TBS coordinates a review of the designations of bilingual offices for all federal institutions.

#### **Part V – Language of Work:**

English and French are the languages of work in all federal institutions, and officers and employees of all federal institutions have the right to use either official language in accordance with this Part.

Every federal institution has the duty to take reasonable actions to ensure that within designated bilingual regions (i.e. the National Capital Region, and in the Province of New Brunswick, the bilingual region of Montreal, the bilingual regions of "other parts of Quebec", the bilingual regions of Eastern Ontario, and the bilingual region of Northern Ontario) the workplaces of the institution are conducive to the use of both official languages and accommodate the use of either official language by its employees. And, as well, both official languages are to be treated comparably in the work environments in all regions of Canada not specified above.

In designated bilingual offices for the purpose of Part V – Language of Work” services, tools and systems must be available in both official languages to support employees in the performance of their duties, and supervisors are able to communicate in both official languages with employees in carrying out their supervisory responsibility where it is appropriate or necessary in order to create a work environment that is conducive to the effective use of both official languages. WD’s Ottawa office in the National Capital Region is the only departmental office designated as bilingual for the purpose of Part V - Language of Work.

**Part VI- Participation of English-speaking and French-speaking Canadians:**

The Government of Canada is committed to ensuring that English-speaking Canadians and French-speaking Canadians, have equal opportunities to obtain employment and advancement in federal institutions; and that the composition of the work-force of federal institutions tends to reflect the presence of both the official language communities of Canada taking into account the characteristics of individual institutions, including their mandates, the public they serve and their location.

**Part VII – Advancement of English and French:**

The Government of Canada is committed to enhancing the vitality of the English and French linguistic minority communities in Canada and supporting and assisting their development; and fostering the full recognition and use of both English and French in Canadian society. Every federal institution has the duty to ensure that positive measures are taken for the implementation of these commitments. Given the Caldeh case, there can be implications between Part IV and VII which may need to be considered as federal institutions develop their programs and services.

#### 4. WD OL Policy Statement (2016)

Official languages is recognized as a horizontal federal priority and a core value at WD. The department is committed to complying with and ensuring effective implementation of the *Official Languages Act*, and respecting the rights of Canadians to be served in their official language of choice and to be provided with services and programs that take into consideration the needs of their official language community.

WD will ensure that,

Part IV:

- the public are informed of their right to communicate in either English or French, by actively offering its services in both official languages through the provision of signs and notices on services, written communications and information, and verbally at the initiation of communication with the public;<sup>1</sup>
- in cases where another party carries out on its behalf duties that are normally required of it in its capacity as a federal institution, that the public are able to communicate with and obtain services from that party as though it was WD itself.<sup>2</sup>
- it upholds the principle of “substantive equality” and uses the TBS analytical grid to ensure that this principle is applied to its programs and services. This can include dialogue or consultations to identify and understand the needs specific to that community and to consider these needs when designing and implementing departmental initiatives;

Part V:

- it promotes an environment conducive to the use of both English and French;<sup>3</sup>

Part VI:

- ensure that its staffing practices result in staff who appropriately assigned to positions and are able to communicate in both official languages to effectively serve the public in the language of their choice;

Part VII:

- within its mandate to diversify and develop the western Canadian economy, it will undertake positive measures (e.g. WD’s OL Lens, consultations, WDP and EDI projects) to enhance the economic vitality of francophone communities in Western Canada and to foster the full recognition of English and French in western Canadian society through its programs, services and external communications.

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<sup>1</sup> After Census 2011, WD’s designated [bilingual offices](#) for the purpose of Part IV - Service to the Public remain unchanged. WD’s Headquarters, the Ottawa Office, its regional offices, and any organizations contracted to deliver services to the public on behalf of WD provide bilingual services.

<sup>2</sup> WD’s Western Canada Business Services Network partners, the Francophone Economic Development Organizations (FEDOs), provide services in French in each of the four provinces. As well, the FEDOs have referral agreements with other members of the Network to ensure that all Network clients have access to services in French.

<sup>3</sup> WD’s Ottawa office in the National Capital Region is the only departmental office designated as bilingual for the purpose of Part V - Language of Work.

## 5. OL Action Plan Management

WD is committed to fulfilling its obligations under the OLA and supporting Canada's two official languages.

### **Governance Structure:**

WD's governance structure for official languages includes the Deputy Minister (DM), EXCOMM, OL Assistant Deputy Minister (ADM) Champion, and a National OL Coordinator who leads an OL Team that has broad departmental representation. The OL ADM Champion and the OL Team support the DM in developing an integrated vision for the official languages program, promote official languages, and work to have official languages considered in its decision-making processes.

### **Accountability:**

#### Planning -

- Canadian Heritage (PCH) and TBS require that federal institutions have an OL Action Plan but they are not prescriptive on the form of planning document created or the planning timeframe. OL Action Plans are proprietary to departments and are to be used and updated as needed to reflect the needs of the department.
- TBS and PCH, however, are prescriptive on how and what results are reported. Therefore, WD like other departments has moved to Action Plan formats that reflect the integration of the four relevant OLA Parts, and the new reporting templates used by TBS and PCH in their Annual Reviews of federal institutions.
- The OL Action Plans of OGDs were reviewed for best practices. As well the reporting and review requirements of TBS, PCH and the OCOL were considered.
- In this context, WD developed its next OL Action plan to cover 2016-2019.
  - The plan covers three years to reflect WD's planning cycle and the TBS and PCH reporting cycle. The Plan consists of five priorities which have areas of action and activities that aim to achieve results.
  - The plan is approved by the DM and posted on WD's website.
  - Each region can prepare regional Action Plans as needed, to support achievement of the departmental OL Action Plan.

#### Reporting -

- External – WD submits an Annual OL Review to TBS and PCH. WD also has to respond to any review requirements of the OCOL. The OL Action Plan was developed after taking these requirements into consideration.
- Internal - OL mid-year status reports and year-end annual reports are prepared by the OL Team and presented to EXCOMM by the OL ADM Champion.
- Thus, the OL Team ensures that activities undertaken and results are recorded in the OL Action Plan, at a minimum, at mid-year and at year end. This documentation provides the evidence required to fulfill reporting and review requirements.

#### Other Governance Products –

The WD OL Policy, the OL Team Terms of Reference (TOR), and Roles & Responsibilities documents can be updated as needed to reflect significant changes, but should be reviewed at a minimum of every 3 years at the time of OL Action Plan renewal.

6. WD's OL Action Plan 2016-17 to 2018-19

<b>WD's OL Action Plan 2016-17 to 2018-19</b>			
<b>A. Management of Official Languages</b>			
Area of Action	Expected Results	Measure of Success	Accountability
<b>A.1. GOVERNANCE</b>	Leadership in OL by having an integrated multi-year OL Action Plan, and engagement of management and staff whereby there is awareness, promotion, use and understanding of OL in the organization.  WD influences the horizontal governance of OL and helps set the direction of OL across government.	Multi-year OL Action Plan approved by DM	DM
		EXCOMM informed	OL ADM Champion
		Staff awareness maintained	OL ADM Champion
		Executive performance objectives for Corporate Commitments encompass OL.	Senior Management
		WD OL Team members contribute OL advice in policy, programs, administration, human resources, etc.	OL ADM Champion
		WD participates in committees such as DACOL, CADMOL and Council of OL ADM Champions.	
<b>Actions: Examples of activities over the three years to yield the Expected Results</b>		<b>Timing and/or Frequency of activity</b>	<b>Lead</b>
Develop an approved three-year OL Action Plan that builds on success and best practices to continually strengthen WD performance on OL.		Every three years.	OL Team
OL on EXCOMM agenda as a standing item.		Formal Mid-year and Year-end Report of OL Champion.	OL ADM Champion, National OL Coordinator
Area of Action	Expected Results	Measure of Success	Accountability
<b>A.2. MONITORING</b>	WD's OL efforts are compliant with the OLA, and PCH & TBS policies.	WD OL efforts are reviewed on a regular basis, follow up done as needed and Management is informed.	OL ADM Champion, Senior Management
<b>Actions: Examples of activities over the three years to yield the Expected Results</b>		<b>Timing and/or Frequency of activity</b>	<b>Lead</b>
Promote awareness of OLA requirements and tools to assist staff in meeting OLA requirements using media such as: <ul style="list-style-type: none"> <li>• WNet OL Bulletins,</li> <li>• OL ADM Champion messages,</li> <li>• Learning sessions, and</li> <li>• OL related events and celebrations (RVF, LDD), etc.</li> </ul>		4 per year, minimum	OL Team
One off items on EXCOMM agenda as required for information or decision. (See Governance section above, for semi-annual updates to EXCOMM).		As required.	OL Champion, National OL Coordinator



B. OLA Part IV- Communications with and Services to the Public			
Area of Action	Expected Results	Measure of Success	Accountability
<p><b>Part IV –</b> Ensure that the public can communicate with and obtain services in either official language from its head office, its offices within the National Capital Region and in Canada or elsewhere its regional offices, where there is significant demand* for communications with and services from that office or facility in that language.</p> <p>(* as defined by the language designation of offices based on the Census)</p>	<p>In “designated bilingual offices for the purpose of services to the public” there are effective measures in place to ensure <u>substantive equality</u> of communications and services in both OLs.</p> <p>(This includes communications and services in-person, in writing and by email, publications, website, social media, or on the telephone or other communication device, etc.)</p>	No complaints	Regional ADMs
	<p>WD’s services and programs reflect the principle of substantive equality (both WD direct delivery &amp; third party delivery).</p>	No complaints	Director General (DG)- Corporate Programs
	<p>Use of media that is effective and efficient in both OL.</p>	No complaints	Regional ADMs
<p><b>Actions:</b> <b>Examples of activities over the three years to yield the Expected Results</b></p>		<b>Timing and/or Frequency of activity</b>	<b>Lead</b>
<p>Offices designated bilingual for service to the public meet the three criteria:</p> <ol style="list-style-type: none"> <li>1. Availability and Quality -Services, materials, electronic communications are offered a) simultaneously in both OL &amp; are of equal quality; whether oral &amp; written communications; or b) in the OL chosen by requesting member of the public.</li> <li>2. Active Offer is provided in both OL whether in-person, by telephone, by recorded messages, or on signage offering service in both OL.</li> <li>3. Signage &amp; Announcements for Health, Safety &amp; Security are in both OL.</li> </ol>		On-going	<p>DGs - Regional Operations</p> <p>Director and Managers - Communications</p> <p>Management responsible for WD offices’ reception services, administration, health &amp; safety services.</p>
Internal review/audit of Service to the Public		Annual audit of WD offices listed on Burolis as providing bilingual services.	Corporate Human Resources (HR)
<p>Implementation of the Supreme Court decision on CALDECH for substantive equality of service:</p> <ul style="list-style-type: none"> <li>• TBS analytical grid is applied to all new or modified programs</li> <li>• Network partners’ contracts and other third party service delivery contracts contain clauses to ensure they respect OLA Section 25.</li> <li>• Referral arrangements in place between FEDOs and other WCBSN partners.</li> <li>• Existing WD programs are reviewed against the TBS analytical grid.</li> </ul>		<ul style="list-style-type: none"> <li>• As needed</li> <li>• As partner contracts are renewed.</li> <li>• As needed.</li> <li>• As needed or every 5 years.</li> </ul>	Corporate Programs OL Coordinator, DGs - Regional Operations, Corporate lead for Western Canada Business Services Network (WCBSN), and Regional OL coordinators

C. OLA Part V – Language of Work			
Area of Action	Expected Results	Measure of Success	Accountability
<p><b>Part V-</b> For offices designated as bilingual for language of work purposes, federal institutions must take reasonable actions to establish and maintain work environments that are <u>conducive</u> to the effective use of both official languages and <u>accommodate</u> the use of either official language by its employees.</p>	<p>A workplace that is conducive to the effective use of both OLS encompassing personal interactions, employee services, and work tools</p> <p><i>(WD Ottawa is the only designated bilingual office for the purpose of work. However, efforts should be made to provide appropriate tools for those staff in the other regional office who work with OLMCs.)</i></p>	<p>In “designated bilingual offices for the purpose of Part V – language of work”:</p> <ol style="list-style-type: none"> <li>1) services, tools and systems are available in both official languages to support employees in the performance of their duties, and</li> <li>2) supervisors are able to communicate in both official languages with employees in carrying out their supervisory responsibility where it is appropriate or necessary in order to create a work environment that is conducive to the effective use of both official languages.</li> </ol>	Senior Management
<p><b>Actions:</b> <b>Examples of activities over the three years to yield the Expected Results</b></p>		<b>Timing and/or Frequency of activity</b>	<b>Lead</b>
Public Service Employee Survey (PSES) results related to OL are addressed as a part of the departmental PSES Action Plan		As required	Corporate HR
Communications (e.g.: emails) when distributed to “All Ottawa Office Staff” or “All WD Staff” are bilingual.		Ongoing	All staff
Work documents for program delivery are available in both OLS where they are needed for bilingual service to the public under Part IV, or to employees in a bilingual region under Part V.		Ongoing	DG-Corporate Programs DGs-Regional Operations

**D. OLA Part VI – Participation of English-speaking and French-speaking Canadians**

Area of Action	Expected Results	Measure of Success	Accountability
<p><b>Part VI –</b> Equitable representation of both linguistic groups in WD's workforce, taking into account its mandate, the public it serves and the location of its offices.</p>	<p>WD has staff to fulfill its service to the public and language of work obligations.</p> <p>WD staff have access to language training.</p>	<p>Effective measures are in place concerning HR management, staffing, and training that allows WD to meet the OLA obligations for service to the public and language of work.</p>	<p>Management who hire and/or supervise staff</p> <p>HR-Corporate &amp; Regions</p>
<p><b>Actions:</b> <b>Examples of activities over the three years to yield the Expected Results</b></p>		<p><b>Timing and/or Frequency of activity</b></p>	<p><b>Lead</b></p>
<p>Continue participation in the Regional Development Agencies (RDA) OL Twinning program</p>		<p>Annually dependent on participant interest.</p>	<p>Corporate HR</p>
<p>Administrative measures are put into place to ensure that bilingual requirements of a function are met in order to offer services to the public and to employees in the OL of their choice where required by TBS policies.</p>		<p>Annual validation through the active offer audit.</p>	<p>Corporate HR</p>

E. OLA Part IV, V, VI –Other			
Area of Action	Expected Results	Measure of Success	Accountability
OL is taken into consideration in WD Planning and Reporting	The OL Team is consulted in the development of WD policy, planning and frameworks/processes.	OL is considered the development of the Report on Plans and Priorities (RPP) and Departmental Performance Report (DPR).	DG- Corporate Planning and Programs
		OL is considered in policy development.	DG- Strategic Services and Advocacy
<b>Actions: Examples of activities over the three years to yield the Expected Results</b>		<b>Timing and/or Frequency of activity</b>	<b>Lead Status</b>
WD Corporate Planning, Accountability Framework, and Policy takes OL into consideration, such as in: <ul style="list-style-type: none"> <li>• RPP, DPR</li> <li>• Policy initiatives (e.g.: Project Charters, Policy Innovation)</li> <li>• Memorandum to Cabinet (MCs), Treasury Board (TB) submissions - OL considerations are included.</li> </ul>		<ul style="list-style-type: none"> <li>• Annually</li> <li>• As required</li> <li>• As required</li> </ul>	Director-Planning & Reporting, Corporate Programs OL Coordinator, National OL Coordinator  Director-Policy, National OL Coordinator  Manager Policy, Planning & External Relations, National OL Coordinator

F. OLA Part VII - Advancement of English and French under Section 41.(1)(a) & 41.(1)(b) via positive measures under Section 41.(2)			
Area of Action	Expected Results	Measure of Success	Accountability
<p>WD complies with OLA Part VII:</p> <p>41.(1)(a) to support the economic vitality of western OLMCs</p> <p>and</p> <p>41.(1)(b) – to foster full recognition and use of both Official Languages in western Canadian society.</p>	<p>Positive measures are undertaken and WD programs and policies</p> <p>1) take the needs of western OLMCs into consideration, and</p> <p>2) promote the equal status of English and French.</p>	<p>WD operational policies and programs continue to reflect the current OLMC situation in Western Canada.</p> <p>WD has effective networks in place with OLMC stakeholders such as OLMC economic development organizations, provinces and OGDs.</p> <p>Western OLMCs obtain funding to support their economic development and that promotes the use of English and French in Western Canadian society.</p>	<p>Regional ADMS,</p> <p>DG-Corporate Programs</p>
<p><b>Actions:</b>  <b>Examples of activities over the three years to yield the Expected Results for OLA Part VIII</b></p>		<p><b>Timing and/or Frequency of activity</b></p>	<p><b>Lead</b></p>
<p><b>Ongoing Dialogue to stay aware of priorities and needs of French speaking communities in Western Canada.</b></p> <p><b>Consultations</b> between federal institutions and OLMCs</p> <p><b>Communications</b> (external) provide information to promote the bilingual character of Canada and promote federal activities, programs and services to OLMCs.</p> <p><b>Advocacy</b>, advice, path-finding/match-making to-promote OLMCs and OL and to find other partners, and sources of funding.</p>		<p>Ongoing</p>	<p>DGs- Regional Operations, Regional OL coordinators, Corporate Programs OL Coordinator, National OL Coordinator</p>
<p><b>Key Collaborations to promote French and English in Canadian society or OLMC development.</b></p> <p><b>Coordination and liaison</b> with other federal institutions (e.g.: Regional Federal Councils, Provincial government groups, OGDs, etc. as part of a program, project or initiative), and through partnerships (e.g.: CADMOL, Council of OL ADM Champions, Section 41 network).</p> <p><b>Collaboration</b> with external stakeholders.</p> <p><b>Sharing of information and networks</b> - OL news clips, gathering views of OLMCs, path-finding and networking assistance.</p> <p><b>Government Policy and Program Development</b> - Ensure western OLMCs and/or OL are considered in MCs and TB submissions in which WD is a participant.</p>		<ul style="list-style-type: none"> <li>Ongoing</li> <li>When opportunities arise</li> <li>Meetings, events based on requirements under partnership/collaboration agreements.</li> </ul>	<p>DGs- Regional Operations, Regional OL coordinators, Corporate Programs OL coordinator, National OL coordinator</p>
<p><b>Tangible Support (i.e. Funding)</b> and their impacts for <u>OLMC development</u> and the <u>promotion of English and French</u> in Canadian society:</p> <ul style="list-style-type: none"> <li>WD participation in federal Roadmap or Official Languages Action Plan and EDI.</li> <li>WD core funding for FEDOs.</li> <li>WDP or other fed programs (using the OL Lens) delivered by WD.</li> <li>WD OL Lens (Train staff to use OL Lens. Review tool regularly to ensure it reflects OLMC needs.)</li> <li>TBS Analytical Grid (Caldech) is completed for new WD policies and programs or when they are changed.</li> </ul>		<ul style="list-style-type: none"> <li>Ongoing</li> <li>Reviewed every five years and updated if needed.</li> <li>Use Grid for new programs as required.</li> <li>Review existing programs every 5 years.</li> </ul>	<p>DGs- Regional Operations, Regional coordinators, Corporate Programs OL Coordinator, OL National Coordinator</p>