



INFORMATION SHEET

A Central Authority to Oversee the Implementation of the *Act* Throughout the Federal Administration

The Idea

Designate a single agency tasked with acting as a « conductor » to direct and oversee the implementation of the *Official Languages Act* throughout the federal administration. Ensure that all federal institutions understand their obligations under the *Act* and that they commit to proactively meeting those obligations.

The Principles

- The *Act* concerns all federal institutions and offices, and Canadians **have the right to expect similar language experiences** from one institution to the next.
- Implementing the *Act* requires a **central authority** capable of communicating expectations and implementation parameters to all federal institutions, while also demanding results.
- The *Official Languages Act* is a **whole made of interconnected parts**. For example, the provision of services and communication in both official languages (Part IV) depends on the language of work (Part V), which partially depends on a pool of bilingual labour (Part VI).

The Issues

1) *No One at the Helm: The Official Languages Act is Silent on Which Federal Institution is Responsible for Coordinating its Implementation*

- The *Official Languages Act* names four federal institutions, each with its own specific responsibilities regarding parts of the *Act*: the Treasury Board Secretariat, the Department of Canadian Heritage, the Department of Justice and the Office of the Commissioner of Official Languages. **However, no agency is responsible for overseeing the *Act's* implementation, as a whole, throughout the federal administration.**
- In practice, the *Official Languages Act* is often perceived, within the federal administration, as being the responsibility of the Department of Canadian Heritage, despite the fact that **nothing in the *Act* itself supports this assumption.**
- The Department of Canadian Heritage **does not have the authority** to issue directives to the entire federal administration or demand results from other federal institutions with regard to implementing the *Act*.



- In fact, Canadian Heritage manages programs just like any other federal institution. As a result, it finds itself in a peer-to-peer relationship and as such **unable to make demands** from other institutions managing their own programs.

2) *With No One at the Helm, Federal Institutions are Left to Find Their Own Way, and Some Have Gone Off Course.*

- In the absence of a central authority responsible for establishing principles and guidelines, federal institutions are **left to their own devices and to decide for themselves** how they will implement the *Official Languages Act*.
- Within each individual federal institution, the level of implementation of the *Act* **can vary significantly** from one office or section to the next.
- The implementation of the *Act* often **rides on the determination and leadership of an individual manager**. When that person leaves, the federal institution's performance in terms of official languages begins to wane.
- Within the federal administration, no one has a **global view** of the implementation of the *Official Languages Act*.
- The level of consultation and participation of official language minority communities in the development of policies and programs also varies substantially, and sometimes does not occur at all.

Example

In 2012-2013, as part of its efforts to control the deficit, the government required all federal institutions to reduce their expenditures by between 5 and 10 percent. In the context of this exercise, no one considered the **cumulative impact** of each institution's cuts on the bilingual capacity of the federal administration as a whole.

The Solution

- The Treasury Board is currently responsible for parts IV, V and VI of the *Official Languages Act*. It is in an **ideal position to coordinate the overall implementation** of the *Act*.
- The Treasury Board already possesses the broad, binding and horizontal authority required to develop and monitor policy and procedures. These are precisely the levers needed to successfully implement the *Official Languages Act*, provided that **changes are made to the wording of the Act with regard to the Board's responsibilities**. Specifically, instead of authorizing the Treasury Board to take action ("may"), the *Act* must require it to do so ("shall").



Impact

Federation institutions will have a better understanding of their language obligations and fulfil them in a comparable manner from one institution to the next. Throughout the federal administration, the *Act* will be implemented more effectively and more efficiently. Canadians will receive a comparable quality of service in the official language of their choice, regardless of the federal institution they are dealing with.