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**Chair**

**Mr. Pablo Rodriguez**

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## Standing Committee on Official Languages

Thursday, February 24, 2005

•(0910)

[Translation]

**The Chair (Mr. Pablo Rodriguez (Honoré-Mercier, Lib.)):**  
Good morning to everyone.

[English]

Welcome.

[Translation]

This morning we have the pleasure of welcoming Ms. Dyane Adam, the Commissioner of Official Languages, who is a regular at our committee. Welcome, Dyane.

We will begin with a brief presentation from Ms. Adam, then we will go to questions. I should inform you that the public meeting will conclude at approximately 10:50 so that we will have 10 minutes to discuss some internal matters in camera.

Without further ado, the floor is yours, Ms. Adam.

**Ms. Dyane Adam (Commissioner of Official Languages, Office of the Commissioner of Official Languages):** Thank you, Mr. Chairman and dear committee members. We are always pleased to appear before you.

I am accompanied by some colleagues, but I think that you are starting to know them as much as you know the commissioner herself. These are Gérard Finn, Special Advisor, Michel Robichaud, Director General, Investigations Branch, and JoAnn Myer, Director General, Policy and Communications Branch.

My statement will focus mainly on two main objectives of the Official Languages Act: service to the public and language of work. Both necessarily involve the language capabilities of the public service. I will also touch on the implementation of the Action Plan for Official Languages. These subjects are closely related, as they are primarily intended to provide service to Canadians and to provide them with results regarding official languages.

[English]

First, I would like to address the issue of service to the public, because in 1994 the office of the commissioner launched a study on this subject, and follow-up reports were published in 2001. At the national level, these studies showed that in almost one-quarter of the cases service to the public in person in the language of the minority was unsatisfactory or non-existent. The active offer was even more deficient; it was absent in more than three-quarters of the cases.

In order to better understand the trend, we are preparing report cards for our next annual report for 29 organizations. These will

include observations on in-person service across the country. Except in certain cases, preliminary results show that there has been very little progress over 10 years. So we seem to be at a standstill, and the federal government will have to explore other methods of service delivery in order to improve quality.

I think my office has distributed this publication.

[Translation]

This is a publication produced in 2001 entitled *National Report on Service to the Public in English and French: Time for a Change in Culture*. All of the recommendations found in this report are still current. I would strongly advise you to read this report for your work and for the drafting of your own report. I believe that it will provide you with some potential solutions.

[English]

As I often mention, that will most likely require amending the official languages regulations. The present regulatory standards might be acceptable in regions where the minority is somewhat concentrated, but the results are less clear in regions where minorities are scattered. For some time now the Government of Canada has been implementing interesting initiatives, such as single-window networks, which warrant study as a model.

More recently—in fact, as recently as yesterday's budget—there has been talk about bringing key services under one new agency, which could be interesting insofar as it improves the quality of services. However, this would require an assessment of the impact such offices would have on the rights with respect to language of work of employees. The important thing would be to come up with a solution that is beneficial on both fronts.

•(0915)

[Translation]

With regard to the language of work in federal institutions, ensuring full respect for employees who have the right to work in their language means creating workplaces conducive to the use of English and French. This takes leadership. There are many studies—including ours in March 2004—that show that it is management's commitment that makes all the difference.

As APEX indicated during a recent appearance before this committee, it is the public service leaders—in other words, deputy ministers and associate deputy ministers—who must set an example by possessing a working level of bilingualism. They are the ones who set the tone. This is why I have repeatedly recommended that these senior executives be subject to bilingualism requirements. The bilingual capacity of supervisors must also be raised in order to ensure adequate supervision.

It is equally important to develop performance indicators that measure progress made in terms of the use of the two languages at work, and to take this data into account when conducting performance appraisals of deputy ministers and senior management. In short, concrete and measurable results are required, as well as an acceptable accountability framework.

In April, my office will release a study on the language of work in the bilingual regions of Quebec and in crown corporations located in bilingual regions. This study will provide many possible solutions for making the everyday use of official languages more equitable. I will be pleased to present you with the findings when the study is released.

To sum up, over the years, many studies have been conducted—not only by OCOL, but also by Treasury Board, the Human Resources Management Agency and the Canadian Centre for Management Development. The results of these studies all point in the same direction. Roughly, the government must act on three fronts to encourage full respect for its employees.

First of all, it must ensure that deputy ministers, associate deputy ministers and their equivalents are bilingual and make them accountable regarding language of work.

Secondly, it must introduce imperative staffing for all jobs designated bilingual, while ensuring greater access to language training.

Thirdly, it must implement awareness and education programs. Managers must understand the impact that the unequal status of the two languages has on the workplace, and employees must become more familiar with their rights.

[English]

On the third topic of language skills in the public service, as you know, this ability is essential in order to offer quality services in both official languages and to ensure full respect for the public servants who have the right to work in their own language. I recognize the efforts made by committee members to look at this issue of bilingualism in the public service.

The new imperative staffing directive is certainly a step forward. As a result, staffing bilingual positions with bilingual candidates is becoming the norm in the public service. Non-imperative staffing is a practice that should only be used in exceptional circumstances, because when bilingual positions are staffed with unilingual employees you are in reality not respecting the merit principle. Otherwise, we find ourselves in an Orwellian world in which all the essential skills for a position are equal, but some are more equal than others.

With respect to senior management, positions at the EX-02 to EX-05 levels will be progressively designated CBC-imperative by 2007. However, this directive does not necessarily apply to EX-01 positions or equivalents with management duties. I believe this is a significant deficiency, since there are roughly 1,400 employees in EX-01 positions in regions designated bilingual, and close to 3,000 senior executives in equivalent positions. However, the act requires “management group [...to have] the capacity to function in both official languages”, not just the EX group. So this brings me to language training.

In all fairness, employees must be given better tools to meet the requirements of their positions. It has always been my belief that imperative staffing of bilingual positions and improved access to language training go hand in hand. This ensures that motivated employees will be able to acquire or perfect their second-language knowledge and gain access to bilingual positions.

I therefore find it troubling to see that the infrastructure cannot meet the demand. It appears that access is difficult, and institutions sometimes turn a deaf ear to employee requests.

Employees must also, on the other hand, demonstrate personal responsibility by making bilingualism a career objective, for example, by using their knowledge of the other official language in their work environment on a daily basis, and even brushing up on their skills on their own. There are TV programs and newspapers in the second official languages across Canada, and that's part of learning a language. Use them frequently, and take all the occasions you have to practise.

The federal government must take advantage of this growing demand for second-language learning from within both the public service and Canadian society. Moreover, the Faculté Saint-Jean in Edmonton, the Collège universitaire de Saint-Boniface, and the Université Sainte-Anne in Nova Scotia, for example, could be important partners in providing language training. There are other universities and colleges across Canada very much interested in providing such support to the federal government.

As you know, the agencies responsible are studying this issue, and we are closely monitoring the situation. The important thing is to bring an end to uncertainty by making the required changes as quickly as possible.

● (0920)

[Translation]

To conclude, I would like to talk briefly about the action plan.

At the beginning of our presentation, I pointed out that Canadians expect results with regard to official languages. This applies, of course, to the follow-up to the action plan, meant to be a corrective measure to address the setbacks of the 90s. Unfortunately, what little information we have at this time appears to show that movement has been very slow since my last annual report. At that time, I highlighted the fact that half of the funds in the action plan are earmarked for minority-language education and second-language instruction.

However, negotiations with the provinces and territories in these areas are still ongoing. This means that the objective of doubling the proportion of bilingual young people is hardly progressing. Canadian Heritage is also reporting delays in negotiating Canada/Community agreements. Furthermore, we are still waiting for the action plan's accountability framework and for performance indicators to be established. This is surprising, to say the least, since we are halfway through this five-year plan.

So we are anxiously awaiting the progress report the government will be releasing this fall. Such delays cannot help but harm the communities and their development. They also shake the confidence of Canadians in the government's commitment to strengthen their country's bilingual identity.

In short, I am concerned. Not going forward is tantamount to going backward. The government boldly developed its action plan, but it appears to be running out of steam in seeing it through. What matters is taking action.

I would like to remind you that Minister Frulla has promised several times to deliver the agreements on March 31, 2005. There are only a few weeks left before this deadline.

• (0925)

[*English*]

In conclusion, I would like to sum up some of my observations.

It is vital that the regulations concerning service to the public be reviewed. We must find better ways of doing things in order to respect the right of citizens to access services in the official language of their choice.

In the area of language of work, leadership is needed from above, and managers must be made aware of their responsibilities.

As for bilingualism in the public service, it is important to review the policy on imperative staffing in order to fully respect the principles and merits. This can only begin at the deputy minister and associate deputy minister levels.

Finally, the implementation of the action plan is going at a rate that is far too slow. I therefore ask you to continue to make management accountable. As always, I offer you my complete cooperation in order to make these matters move forward.

I thank you for your attention. We'll be pleased to answer any questions you may have.

Merci.

**The Chair:** Thank you very much, Madame Adam.

[*Translation*]

Your presentation is very interesting. It confirms the perceptions or doubts that committee members may have with respect to their work, and it also clarifies all that we need to know with respect to bilingualism in the public service.

We will now go to questions.

Mr. Lauzon.

**Mr. Guy Lauzon (Stormont—Dundas—South Glengarry, CPC):** Thank you, Mr. Chairman.

I would like to welcome Ms. Adam and her colleagues.

In November, Ms. Maria Barrados, the President of the Public Service Commission of Canada, told us that language training services provided to public servants had shortcomings.

In February, Mr. James Mitchell told us that the language training system was costly, ineffective and rigid.

Do you have any comments to make with respect to these two testimonies?

**Ms. Dyane Adam:** The act has been in existence for 35 years and one of the measures adopted shortly after the act came into effect pertained to mechanisms providing for the bilingualism of the federal public service and full compliance with the act. Responsible organizations include: the Public Service Commission, the Human Resources Management Agency of the Public Service Commission, the Canada School of Public Service and the Treasury Board. These organizations are currently reviewing their entire language training and testing program. They are looking at training, teaching and education.

For most of my life I have worked in a university environment, in the education sector. I know of no training programs that are not subject to a periodic review. It is about time that we reviewed training and the way we do assessments within the federal public service.

I believe that the organizations involved are very serious. They have the cooperation of the assistant deputy ministers. Accordingly, senior management is participating in the process. As recently as yesterday, I was told that they were just about ready to present options, or at least proceed with consultations on the matter. In my opinion, this is a good thing.

**Mr. Guy Lauzon:** Will what they want to do be enough to improve the situation? If we spend money to train officials in a manner that is not effective or that does not work, we have to try to rectify the situation.

• (0930)

**Ms. Dyane Adam:** We have to be careful when we say that it does not work. The federal public service has managed to become much more bilingual today than it was 35 years ago. Yes, young people have been given second-language training in their schools, universities and colleges, but public servants have also learned the language; they have a good grasp of the language and use it. In my opinion, this is the case for the great majority. Furthermore, we must not consider only the group that has had the most difficulty and which has perhaps had different requirements, and conclude from that that the program is worthless.

Is there a need for improvement? Yes. Our office has suggested on several occasions that we should begin language training much earlier in a public servant's career. We all know that the older we get, the slower we learn, particularly with respect to languages. We have also put a great deal of emphasis on the ability to learn the language. That aspect has not changed within the federal government, and very little has changed with respect to the use of the language.

In its most recent studies on language of work, the Office of the Commissioner of Official Languages suggested that the language assessment of a public servant or supervisor should be based much more on the use of the second language rather than on a test. The purpose of the act is not to administer a test, but to have an impact on the language of work, so that supervision can be done in the employee's language and Canadians can be served in the language of choice.

**Mr. Guy Lauzon:** You are talking about exchanges, in this case. You are right when you say that we are not working so that people can pass tests. We are trying to train public servants.

Furthermore, you also said that most of the public servants who were currently bilingual are trained after they had been hired by the public service.

**Ms. Dyane Adam:** I'm sorry, but I didn't understand your question properly.

**Mr. Guy Lauzon:** You said that most of the public servants who are currently bilingual were trained...

**Ms. Dyane Adam:** No, there are public servants who are already bilingual, and this is what we want.

**Mr. Guy Lauzon:** Most public servants are already bilingual when they are hired.

**Ms. Dyane Adam:** Yes, those in bilingual positions are because of imperative staffing.

Generally speaking, the number of bilingual people in the public service has increased significantly over the past 35 years.

**Mr. Guy Lauzon:** How do you explain this increase? Can it be attributed to the training of public servants?

**Ms. Dyane Adam:** Indeed, this can be attributed to a combination of factors. Some people have invested in their own training. Personally, I think that each individual is responsible for his own training to further his career. Twenty or 25-year-olds who want to pursue a career in the federal public service should feel that, after 35 years of official bilingualism in the country, it would be a wise move to invest in learning the second language. This can be done through the universities and colleges throughout the country. This is an individual responsibility, just as it is an individual responsibility to pay for schooling in order to become a lawyer.

Language training is becoming more and more widely available, and it is better to learn the other language sooner than later.

**The Chair:** Thank you very much, Mr. Lauzon.

Mr. André.

**Mr. Guy André (Berthier—Maskinongé, BQ):** Good morning, Ms. Adam, Mr. Finn, Mr. Robichaud and Ms. Myer. I'm pleased to meet you.

I have a few questions to ask you about official languages. We have had an opportunity to meet representatives from the public service on several occasions. You said that there has been an increase in bilingualism in the public service. What has been the percentage of this increase in 35 years? Has that been assessed?

• (0935)

**Ms. Dyane Adam:** I believe that the rate has more than doubled. About 30 years ago, it was 12 per cent. Our next annual report indicates that 33 per cent of the positions are now designated bilingual. Thirty-five years ago, this was more in the area of 9 per cent.

**Mr. Guy André:** When you refer to positions that have been designated bilingual, does that mean that 33 per cent of the people are bilingual?

**Ms. Dyane Adam:** Currently, the incumbents of more than 85 per cent of the positions designated bilingual are bilingual.

**Mr. Gérard Finn (Advisor, Office of the Commissioner of Official Languages):** We also have bilingual people who are not in bilingual positions.

**Mr. Guy André:** The most serious problem with bilingualism in the public service that I have seen occurs primarily in certain anglophone regions where the people do not use the other language. These people learn a second language, pass the tests, don't use the language thereafter and therefore lose it.

The Mitchell report suggested some training tools. Does a concrete solution for this problem exist?

Some are requesting additional budgets for the public service. However, when a person learns a second language and does not use it because he lives in an anglophone province, how can we help this individual maintain the second language?

**Ms. Dyane Adam:** I am convinced that there is a solution. Human beings are influenced tremendously by their environment. If, as a public servant, you truly want to advance in the public service... I'm not referring to politicians but rather to individuals who have been hired by the largest bilingual employer in the country, and whose salaries are paid through taxes.

This milieu has to take steps to fully achieve bilingualism in the workplace. Previously, I emphasized three things. If you want an individual to demonstrate a certain behaviour, you have to send this person a message that is clear, uncontradictory and unambiguous. In other words, it must be stated that bilingualism is required in the public service for the senior official in a position that has been designated bilingual. Furthermore, this must be a requirement. There is nothing worse than sending out contradictory messages and this is what is happening in the case of non-imperative staffing.

In addition, as we have seen in all of the studies, if the senior public service—and here I refer to deputy ministers and delegated deputy ministers—is exempted from this principle, what message is being sent to the employees? We are saying that bilingualism is important, but not to the point where senior public officials have to meet the same criteria. If you truly want your employees to understand that this is important for them, both for their career and advancement, the messages have to be consistent at every level. And then, you will see, all of a sudden, people will become much more motivated. They will also see that it is much more equitable. Everyone will be on the same level playing field, and the rules of the game will apply to everybody. At that point, you will be conveying clear messages. People are like children. They will understand that it is in their interest to take action, learn, invest and be motivated.

There is also a problem with respect to the language training. The other change pertains of course to using both languages, using the second language. We have to make the person in whom we have invested, for example, through language training, be accountable. If \$100,000 was invested in this person, we need to ask this person to use and maintain this language.

● (0940)

**The Chair:** Mr. André, you have 40 seconds left.

**Mr. Guy André:** I wanted to hear your comments on imperative and non-imperative staffing.

Do you feel that bilingual and non-bilingual positions are well defined within the public service?

**Ms. Dyane Adam:** It is up to the supervisors and managers to decide if a position should be designated bilingual or not. The policies are very clear. In fact, there is little flexibility as to whether a position is designated bilingual or not. If they follow the guidelines, there should be no problem. This should be consistent and constant throughout the machinery of government.

**Mr. Guy André:** And do you feel that it is applied in a manner...

**Ms. Dyane Adam:** If it is correctly implemented.

**Mr. Guy André:** Is it correctly implemented? Do we need to improve things?

**Ms. Dyane Adam:** We always receive complaints on this issue. I would say that it varies.

**Mr. Guy André:** I will have further questions later on.

**The Chair:** Thank you very much.

Mr. Godin, it is your turn.

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Thank you, Mr. Chairman.

I would like to welcome the commissioner and the people who are with her at this meeting of the official languages committee, Mr. Finn, Mr. Robichaud and Ms. Myer. They are very pleasant people who work for us, for Parliament. They are officers of Parliament and they help us. I would like to thank you, Ms. Adam, once again for the very important work you are doing during your term. It is very unfortunate that the government does not always follow your advice, and that they are late following previous advice that you have given.

I read in your statement: "In short, I am concerned. Not going forward is tantamount to going backward."

If we went from 12 per cent to 24 per cent, and if not going forward is tantamount to going backward, I'm afraid we will find ourselves at 15 per cent.

You state that: "The government boldly developed its Action Plan,"—this is the Dion plan, but we are quite late in implementing it, and perhaps we should give it a new name—"... but it appears to be running out of steam in seeing it through." Your comments are not very positive. You also state: "What matters is taking action. I would like to remind you that Minister Frulla has promised several times to deliver the agreements by March 31, 2005. There are only a few weeks left before this deadline."

Could you tell us in more detail what you mean by this assertion?

**Ms. Dyane Adam:** You are aware that the full realization of the official languages action plan, particularly as it affects minority language education and second language education, involves the provinces. The Minister of Canadian Heritage is responsible for negotiating these federal-provincial-territorial agreements. We are already one year behind in the negotiation of these agreements. They were extended by one year. We're now in the second year. Today, February 24th, we are approximately one month from the end of another fiscal year. I am told that these agreements have yet to be signed despite promises made to that effect.

I'm repeating myself, but essentially, we will not be able to move forward with the implementation of the action plan and reach our goal of doubling the number of bilingual people, as well as supporting minority language education, if we do not move more quickly.

I visited Nova Scotia recently. I met with the minister and even with the premier. I travelled to Manitoba recently and met with the Minister of Education. I was surprised to hear them speak of their own frustration in regard to this, and their wish to be a part of the action plan. They believe in the goals put forward by the government. I expect the federal government to be a champion of official languages on behalf of the provinces or of communities, and not to drag its feet. It should be ahead of the pack and if necessary, it should improve the negotiation process so that we can deliver much faster and build on the momentum that has been created by the action plan, which has created a great deal of hope in some regions of the country.

● (0945)

**Mr. Yvon Godin:** We want to believe that the government is sincere as far as bilingualism is concerned. Recently, there was a court decision on food inspectors in Shippagan who were transferred to Shediac. You reported on the issue. If I'm not mistaken, you said that this should not have been done. The case went to the federal court, which found for the francophone communities who had spent their own money to win their case. For its part, the federal government appealed the case and won. Now, it is going to the Supreme Court. I'm happy that the Supreme Court will hear the case. If the federal government were really sincere about bilingualism and francophone minorities, it would not have appealed and it would have accepted the decision of the court interpreting part VII of the act. That is my first comment.

Secondly, I completely agree with you that people cannot practice the new language they are learning. The spokespersons for Canadian Parents for French came to testify and told us that they wanted to register their children in an immersion school so they could learn the other language. It is not well accepted when people speak the other language in the workplace. That means they cannot learn it. If you cannot practise the language, forget it. You have to practise a language, and I think that there is a gap here. I agree with you once again. That is a comment I wanted to make. If deputy ministers are not subject to the law, how can we provide an example? The example has to come from the government. It has to show leadership. Will the action plan work if the government is not ready to assume its own responsibilities and put people in charge who can set an example?

**Ms. Dyane Adam:** I don't know if there is a question there, but if I may, Mr. Chairman...

**Mr. Yvon Godin:** One of my colleagues across the table, Mr. Simard, says that it is a political comment. If bilingualism posed no problem, we would not even be here. Moreover, there would be more non-francophones sitting around the table here.

**Ms. Dyane Adam:** I will not respond to your comment. As far as part VII of the act is concerned, you have alluded to the case involving the Forum des maires, which was the subject of two decisions, both different as you are aware. One of the decisions mentioned that part VII of the act was ambiguous and should be clarified by the legislator. I would like to remind the members of the committee that they have an opportunity to do so, and to ensure that this part is clear and binding.

**Mr. Yvon Godin:** I don't have a lot of time.

**The Chair:** Thank you, Mr. Godin.

**Mr. Yvon Godin:** Can't I get an additional two seconds?

**The Chair:** No, that's all the time you have.

**Mr. Yvon Godin:** Just two seconds.

**The Chair:** You used your time well, but you used it up.

Mr. Godbout.

**Mr. Marc Godbout (Ottawa—Orléans, Lib.):** Madam Commissioner, you said that very little progress had been made with regard to the action plan. What concerns me even more is that you seem concerned by the impact this could have on the vitality of official language communities. In the course of your travels, were you able to see for yourself whether it had a negative effect on those communities?

• (0950)

**Ms. Dyane Adam:** I can't really talk about isolated cases, because it is always dangerous to take one case and generalize. However, there are consequences. For instance, when the last annual report was tabled, I mentioned that delays in signing agreements—as was the case in Saskatchewan—sometimes delayed the construction of schools, because no agreement had been signed. I am sure that if I travelled across the country and asked every province, school board and Ministry of Education which projects were waiting for an agreement to be signed in order to go ahead, there would be examples in every province. I think that answers your question. Since you are a former school board trustee and director general, you know that the repercussions are felt on the ground. That's exactly what those communities are going through.

**Mr. Marc Godbout:** Would you recommend that committee members travel to see exactly how those delays are affecting communities?

**Ms. Dyane Adam:** Yes, because the impact of what is happening would be much more real to them. As members of Parliament, you work in your ridings and speak with people. You are much closer to Canadians than we could ever be, even though we have regional offices. You are there to listen to Canadians and to serve them. So if you travel, it may give you a clearer view of what is happening across the country as a result of signing delays of up to one or two years.

I would also recommend that you look at the way in which we are collaborating with our partners. How is the federal government perceived as a partner within these agreements? Perhaps there is a better way for us to work with our partners. Current processes don't necessarily yield timely results.

**Mr. Marc Godbout:** In your analysis of these delays, did you also look at the financial repercussions? Has the funding been distributed under interim agreements or is it still waiting to be spent?

**Ms. Dyane Adam:** I don't know if my colleagues would agree with what I'll say and I don't want to mislead anyone. There are interim agreements, but I have to admit that there is some mystery surrounding the actual amounts involved. It's not easy to find out exactly how much has been spent. I've been told that we are in the process of looking into exactly how much money is earmarked for spending this year, but that we have not yet received a clear and transparent answer. So I cannot give you an answer.

• (0955)

**Mr. Marc Godbout:** Do I still have some time, Mr. Chairman?

**The Chair:** Two minutes, sir.

**Mr. Marc Godbout:** I would like to come back to the public service. Ms. Turmel, the president of the Public Service Alliance of Canada, said that one of her problems was with regard to training, because it was not necessarily available to every public servant. Public servants receive language training only after they land a bilingual position. It might perhaps be a better idea if they received language training even before they applied for a bilingual position. What do you think about that?

**Ms. Dyane Adam:** I'm in complete agreement. Indeed, we are asked to do an annual evaluation for each of our employees and to establish a career plan for them, that is, to ask them about their career ambitions. If they have what it takes, we will give them training in any number of areas, including finance. This is part of the career plan. Why not include official languages? I don't understand why this skill, which lies at the very heart of the federal public service, should simply be given at the end rather than at the beginning of a person's career. What does it lead to? Frustration. We don't need to increase people's frustration with regard to bilingualism in Canada.

**The Chair:** Thank you, Mr. Godbout.

[English]

We are now going into a second round

[Translation]

for five minutes.

Mr. Poilievre.

**Mr. Pierre Poilievre (Nepean—Carleton, CPC):** Welcome. Thank you for being here.

[English]

Oftentimes in these committees, our witnesses make representations to us, and that's important. I'd like to give a few very brief thoughts on behalf of my constituents.

Ms. Adam, I think it's important that you understand the tremendous degree of frustration amongst unilingual public servants. I represent the riding of Nepean—Carleton in southwest Ottawa, where people are largely unilingual. They believe in bilingualism in principle and want it to be executed in practice to ensure that people are served in the official language of their choice. But there is a tremendous frustration with the rigidity and the demands of the system of language testing that is in place right now. This rigidity has been criticized by Madame Barrados, the president of the Public Service Commission, and by numerous other witnesses we've had before us.

I want to know how you would address the concerns with the extremely demanding system of language testing that is in place right now.

**Ms. Dyane Adam:** What is important for me is the outcome and how we can ensure that all motivated employees have access to language training if they're not bilingual and ensure that they be given the best chances of success.

You mentioned rigidity with the system. I would tend to agree. I did mention that after 30 years or so of existence, this training and testing needed to be revised. I will not go into what should be done. I think they have a process right now that is looking at that, and it's pretty serious. But we should have options to maybe address a lot of the frustration that your constituents or other persons in Canada may have.

**Mr. Pierre Poilievre:** What do you think explains the high failure rate amongst anglophones who are taking these language tests?

**Ms. Dyane Adam:** It's not that high in terms of failure. I think what we are looking at now is the idea that since we have changed the question of imperative staffing, there were about 200 individuals or even less who have not reached the level of CBC that they had to. You have to look at the fact that the percentage of people holding bilingual positions who actually are bilingual is now standing at 85%. This is not bad. There's a group of individuals—

**Mr. Pierre Poilievre:** The failure rate that has been reported is much higher than that. The anglophones who take these exams are failing in spectacularly high numbers. Madame Barrados indicated, when she was before this committee, that she felt the failure rate was too high and that it was due to both a problem with training and with testing. Do you disagree with her?

**Ms. Dyane Adam:** No, I do not disagree, but I disagree with you in the sense of what qualifies as high.

**Mr. Pierre Poilievre:** Seventy or eighty per cent.

**Ms. Dyane Adam:** I believe the failure rate may be one in two the first time.

**Mr. Pierre Poilievre:** No, it's much higher than that. It's in the 70% or 80% neighbourhood, and I'm being conservative with those numbers. It's probably higher than that.

**Ms. Dyane Adam:** Those are things we need to check. I cannot comment on them. What I think is important, though, is that this whole review should shed light on some of the issues that need to be addressed. I think it's time we do that.

**Mr. Pierre Poilievre:** Right.

Additionally, you mentioned that a number of people are taking the exams and are succeeding, but they're losing their French or their second language because they don't use it. As we know with any language, if you don't use it, you lose it. What does that tell us? If somebody is not using a second language in their place of work, does that perhaps indicate to us that their job should not have been bilingual-obligatory in the first place if it's not necessary?

• (1000)

**Ms. Dyane Adam:** Not at all.

**Mr. Pierre Poilievre:** Even if it's not necessary for the practical day-to-day work that they do?

**Ms. Dyane Adam:** Not at all. All the studies are clear on that.

I'll talk about the supervisors or the executive group. These individuals may not feel as confident in their second official language as they do in their first. To speak in your second language at times means what? To hesitate, to make errors. You don't shine as much as when you are speaking in your first language. So it's all about human nature. If you feel you're not as comfortable, you'll tend to go to what you're more comfortable with. The environment lets you do that or in some way doesn't provide sufficient direction to say you'll have to sweat over it for a while, but you'll learn it by doing it and practising it. It's like golf.

So for me, that's not how you should interpret that. It's a lot more about pride.

[*Translation*]

**The Chair:** Thank you.

We will continue with Ms. Boivin.

**Ms. Françoise Boivin (Gatineau, Lib.):** I would also like to talk about politics. My friend Mr. Godin tossed a ball in my court, in a manner of speaking. It's too bad that he is not here. Last week, I had the great pleasure of being in the House when the Honourable Don Boudria tabled Bill S-3. The bill was sponsored by my idol, Mr. Jean-Robert Gauthier, an ardent defender of minority language rights. It was an important moment for me, at least as regards the cause of linguistic minorities in Canada. In my opinion, the bill will help clarify the legislation and establish a binding framework. Perhaps we will also put an end to all those endless court cases for once and for all. I had the pleasure of seconding the adoption of the bill. It was a good moment.

I was also very pleased to see that our Conservative and New Democrat friends supported the bill. Based on the speeches we heard, this isn't over yet. I was surprised to see my friends from the Bloc Québécois, who endlessly defend the cause of francophones on this committee, openly reject Bill S-3.

Ms. Adam, I simply want to clarify your position with regard to the bill. Based on conversations you have had or things you have said, either here or elsewhere, or in one of your reports, I have concluded that the Office of the Official Languages Commissioner supports Bill S-3. Is that correct?

**Ms. Dyane Adam:** We certainly support it.

**Ms. Françoise Boivin:** You haven't changed your mind at all with regard to the bill?

**Ms. Dyane Adam:** No. For several years now, our office has formally recommended that the government clarify the scope of part VII of the act.

**Ms. Françoise Boivin:** Could that be achieved with Bill S-3?

**Ms. Dyane Adam:** It could be achieved through other means, but as it happens we now have a bill which was tabled and unanimously supported in the Senate. It's a perfect opportunity.

**Ms. Françoise Boivin:** That's great. I would now like to come back to the reason you are with us today. We have been studying the issue of bilingualism in the public service for a long time now, and we have heard many witnesses. I have come to realize more and more that the source of the problem is the language spoken in the workplace. It's all very well and good to make people sit all kinds of tests and give them all kinds of training, but you don't have to be a language expert or any kind of expert to understand—it's something I experience every day—that if you don't use a language, you lose it.

I am extremely proud of the fact that I am bilingual. I can speak both official languages fluently. I can speak English with my anglophone colleagues. I feel very comfortable doing so, just as I feel comfortable speaking French.

I was surprised when you talked about APEX. As I tell a lot of witnesses who appear before the committee, I'm still in shock with regard to certain things they told us.

You had to be there, Ms. Adam. All the people before the committee were francophones. I asked them a question. And since I'm a good lawyer, I was pretty sure of what the answer would be. However, they took me by surprise, because their answer was even worse than I expected. I asked them, in percentage terms, how much time they, in their capacity as senior managers, spoke French. If memory serves me well, they said 5 per cent. That's appalling.

I can understand that this would be the case at a certain level, at the deputy minister and assistant deputy minister levels, but if managers don't speak French with their employees, what type of message are they sending to anglophones who don't feel like learning French in the first place? As you yourself said, we certainly don't need to increase the level of frustration. If I had to take language training knowing full well that I would not have to speak that language afterwards, I would feel very frustrated. How do you react to this type of situation? How can we motivate people? I'm trying to find a solution. For instance, could we designate two days of the week as French days?

• (1005)

**Ms. Dyane Adam:** It's a question of the dynamics between both language groups. In some places, people speak both French and English on a daily basis. Nevertheless, the administration—supervisors and the entire administrative hierarchy—has to do its share and do it well.

This means that the employer, or the supervisor, in the course of meetings with employees, has to speak both languages and make it clear to both anglophones and francophones that they should feel comfortable speaking the language of their choice. This type of attitude has to pervade the entire public service. The entire administrative hierarchy has to act in good faith in that regard.

It also has to happen as regards employees, be they francophone or anglophone. In our studies, we noticed that francophones gave up their right to speak French too readily and automatically switched to English. If francophones systematically speak the other language—and I'm told that this happens even here, on the Hill—they're telling anglophones that they don't really need to learn French. It's a vicious circle.

Nice legislation is passed in the interest of francophones and they are told that they have rights. But as a lawyer, I know that if you don't exercise your rights, they just remain on paper. I would say that francophones have to be much more aware of the impact they have in this dynamic. They have to embrace their difference and stand up for themselves. The same applies to anglophones who are in a minority situation in Quebec. This is what we are discovering in the study we are in the process of conducting.

**The Chair:** Thank you, Ms. Adam.

We will now continue with Mr. Desrochers.

**Mr. Odina Desrochers (Lotbinière—Chutes-de-la-Chaudière, BQ):** Thank you very much, Mr. Chairman.

Ms. Adam, Mr. Robichaud, Mr. Finn and Ms. Myer, thank you once again for meeting with the members of the official languages committee.

I will take 20 seconds to respond to my Liberal colleague. Will Bill S-3 provide more funding and support to the action plan of official languages, and will it reinforce the plan? The reason we have reservations is because Quebec has a fairly structured law called the Charter of the French language. Please understand that we will measure all the impacts on the francophone minority. That is why we are now against the Bill. However, we are open minded and perhaps there will be a way to reach an agreement and make some amendments. However, as it now stands, we prefer to be cautious.

I'd like to come back to the action plan. Not much is happening in that regard. You say that indicators have not been put into place. You said that Mrs. Frulla has often repeated certain things. Before appearing before the committee today, did you speak with the minister to know whether there had been any movement recently? Did anyone from your office call the minister? Have you seen any encouraging signs? Are you fairly optimistic or do you expect to run into problems, because it will soon be March 31, 2005 and nothing will have been done?

• (1010)

**Ms. Dyane Adam:** My office was in touch with the Minister's office asking to integrate in our next annual report the progress made by the government with regard to the plan of action. But since I did not receive any formal answer, I cannot tell you whether progress has been made. There has been some progress in certain areas. We still have a week and a half, so we'll see what will happen. However, Ms. Frulla has repeated several times that she will deliver the agreements. Whether they are signed by March 31 or not, I'm dismayed at how long it is taking, even as regards the accountability framework and the performance indicators. It's not complete yet. Things really have to speed up.

**Mr. Odina Desrochers:** Were you told why things are moving so slowly? Were you given real answers or simply told that things were delayed because of the last election campaign or because there are new people in charge of the file?

**Ms. Dyane Adam:** What is important to me as commissioner is not really the reasons or justifications given: it is the results.

**Mr. Odina Desrochers:** They aren't many of those.

**Ms. Dyane Adam:** That's right. Of course, we want the legislation to be applied and we want to see results. And since the plan of action is part of the initiative to strengthen bilingualism in many areas, I am interested in seeing results. You could have all kind of reasons, but in the end what counts is delivering the goods.

**Mr. Odina Desrochers:** Let's talk about the indicators. Did you give Ms. Frulla any examples of indicators? What type of indicators should be put in place to see whether the plan of action is really working?

**Ms. Dyane Adam:** Two years ago, we made suggestions and even formal recommendations to the Minister of Canadian Heritage. We also recommended that the Minister asked the provinces to find out how many young bilingual people there were in each province, for instance, and to develop indicators. We are involved in a ten year process to increase or double the number of bilingual people. Even though we have progress indicators with regard to that objective, we are also committed, as far as francophone minorities are concerned, to insuring that 80% of young rights holders be registered in French language school across the country. We asked the Minister, in collaboration with the Minister of Education, to develop progress indicators with regard to that objective.

**Mr. Odina Desrochers:** According to you, do the provinces have the political will to get directly involved in the federal government's action plan and strategy, or are they constantly fighting to avoid it all? I think that there are some provinces in Canada that do not believe in bilingualism at all. Could that happen?

**Ms. Dyane Adam:** I'm rather optimistic.

**Mr. Odina Desrochers:** You aren't this morning.

**Ms. Dyane Adam:** The question you're asking me is with respect to the provinces.

**Mr. Odina Desrochers:** Yes.

**Ms. Dyane Adam:** I was recently in Nova Scotia, where official languages legislation has just been adopted, as well as an implementation plan for this legislation. They have expectations when it comes to the federal government. There is the commitment and the will.

**Mr. Odina Desrochers:** What is the situation in Western Canada?

**Ms. Dyane Adam:** In Western Canada—

**Mr. Odina Desrochers:** In Alberta, for instance.

**Ms. Dyane Adam:** Let's start with British Columbia. There are people waiting in line to register their children in immersion classes. There is too much demand and not enough available spots. Right now, in the country, Alberta is leading the way with respect to linguistic requirements. It sets itself an ambitious objective: all of the young people coming out of high school will have to be bilingual. They may not all speak French and English, but they will all have to

learn at least two languages. This is positive, because we don't tend to value language learning in Canada.

• (1015)

**The Chair:** Thank you, Mr. Desrochers.

We will continue with Mr. Poilievre, who has decided to split his five minutes with Mr. Vellacott.

**Mr. Pierre Poilievre:** Yes, I will be splitting my time with Mr. Vellacott.

I'd like to talk about the future. As a young member, it is easier for me to think in the long term. In the public service and in our country, over the next 20 years, how we will be able to improve bilingualism? I think hope rests within the education system. I want to talk about immersion and French schools, because a child learn a language over the first 10 years his or her life. During the years when the conservatives were in power, there were far more available resources for bilingualism and immersion. Should we increase funding available for immersion schools and French school and bring the funding level back to where they stood under the conservatives?

**Ms. Dyane Adam:** Certainly.

**Mr. Pierre Poilievre:** This is interesting. I thank you for your honesty. I agree. People in my riding are frustrated because it is difficult to learn a language when you're 40. It's very difficult, even if you work very hard at it. As conservatives, we want to see further investments in the educational system so that people can have an opportunity to learn their second language at a very young age.

That was my comment. I will now split the rest of my time with Mr. Vellacott.

[*English*]

**Mr. Maurice Vellacott (Saskatoon—Wanuskewin, CPC):** Merci.

We thank you for being here this morning. I know your advice to us is free this morning. It's worth a lot, but it's not going to cost us. Having a frugal side, I want to get some advice.

If our committee, as we assess the state of bilingualism across the country, particularly in my part of the country out west, looks at how adequately we are providing the French services, particularly to western Canada, how would you advise us if we were to proceed to make a proper assessment of that? Who would we best connect with? Who are the individuals who would be most likely to give us a real picture? I'll just give you a contrast here. Sometimes you can get to heads of institutions, administrators of hospitals, or whatever, and they're going to paint a rosy picture. They're going to say things are fine, or really quite good. They may be less inclined to give you the true picture, which you would probably get from some of those other people out there we're not as easily able to connect with, the end-users. What's your comment as to how we can best assess the state of French services, say, in western Canada, but really anywhere across our country? How would one do that? Do you go to the formal institutions? It's difficult, I admit, to get to some of these other people, but how would one do that?

**Ms. Dyane Adam:** I just want to clarify your question. When you talk about getting French services or bilingual services, do you refer to training, learning, or is it...?

**Mr. Maurice Vellacott:** No, I'm talking about a health care facility, some other government service, if you will.

**Ms. Dyane Adam:** The public service.

**Mr. Maurice Vellacott:** Yes, the public service, and hospitals, where that's required, and airports.

**Ms. Dyane Adam:** The best people to give you an idea of the state of services are truly the citizens who speak French. You have French communities in your different provinces. They all have ideas regarding most of the public service sectors, health, social services; they have done some research. We do, you know, but you really want to hear from the citizens, who I think are probably the ones with the best perception—they live the reality.

●(1020)

**Mr. Maurice Vellacott:** How can we connect with those people? It's not as easy as getting an address of a hospital, an institution, or an educational facility.

**Ms. Dyane Adam:** I can provide information to you.

**Mr. Maurice Vellacott:** You can provide some of these?

**Ms. Dyane Adam:** There are organizing communities, organizing associations. If you go west and consider Manitoba, Saskatchewan—and you've got colleagues here—the reality varies a lot from one province to another. The west is not a bloc, it's quite varied. For example, in Manitoba they already have some services in health and social services, and they're working on immigration. They're, let's say, a step ahead of Saskatchewan, which also is improving, but there it's in progress.

**Mr. Maurice Vellacott:** My interest—

**The Chair:** Thank you, Mr. Vellacott. Sorry, that's all the time we have.

[*Translation*]

We will continue with Mr. André.

This is our last turn, and I welcome you once again.

In fact, I found Ms. Boivin's comment on the importance of francophone communities interesting. I haven't seen the budget, but I know that francophone minorities are asking for \$42 million. We voted here on a resolution to that effect.

I hope you will advocate on behalf of francophone minorities just as vigorously when it comes to the Official Language Action Plan. If I'm not mistaken, it is a long-term request. Perhaps you saw the budget, and you certainly must know how important Canada-community agreements are for these people. Can you tell us a little bit about them?

**Ms. Dyane Adam:** With respect to Canada-community agreements, we are more or less in the same situation as for federal provincial agreements. Canadian Heritage takes the lead with regard to these agreements on behalf of the government, and there have been some delays in getting them signed.

**Mr. Guy André:** Mention has been made of March 31, but you haven't seen anything in the budget on this point.

**Ms. Dyane Adam:** No.

**Mr. Guy André:** There doesn't seem to be anything to solve this problem.

**Ms. Dyane Adam:** Clearly.

**Mr. Guy André:** We're still in the same situation.

I have a question for you. I'd like to get back to imperative and non-imperative staffing. I've looked at the statistics on this. It would seem that in Alberta, eight per cent of public service staff should be bilingual in order to serve the public, in British Columbia, five per cent should. Moreover, exclusion criteria remain. In these provinces, only a small percentage of positions have bilingualism as a requirement. Yet, in another report, I saw that a large percentage of people holding these positions are not bilingual, and therefore, they cannot ensure the services. They would meet non-imperative bilingual requirements.

Given the fact that this is not a large percentage, do you think it would be essential that when it comes to staffing, bilingualism be imperative from the start? Is it possible? Should it be?

**Ms. Dyane Adam:** I maintain that imperative staffing should be the norm.

**Mr. Guy André:** The basic standard?

**Ms. Dyane Adam:** Yes. In some circumstances, there could be exceptions, but that should be the exception and not the norm. Moreover, it should be justified. The public will not be served in the language of its choice if there's no one to provide the services. To use your example, and based on what we have observed in the field, I would say that in Western Canada, when it comes to service delivery in French, in offices designated as bilingual, performance leaves much to be desired. They may not all be designated as bilingual, but the fact remains that in general, there aren't enough bilingual employees. There may be one or two people who are in a position to ensure services, but all it takes is for one of them to be sick or gone out for lunch for the service no longer to exist. We're really looking at bad service management in both official languages.

**Mr. Guy André:** According to me, under the current bilingualism rules, if I apply for a designated bilingual position, if I get training and that I manage to meet the linguistic requirements, I get a bonus. We have discussed this issue on several occasions. A secretary needs to have IT skills to meet the requirements of the job. A doctor has to know medicine. Why, in the case of a position which has linguistic requirements, would a person receive a bonus when they are meeting the requirements? I've asked myself this question, and I'd like you to tell me what you think.

●(1025)

**Ms. Dyane Adam:** With respect to the bonus, you're raising a question which has led to many debates. We have to remember that it's worth approximately \$800 per year. This amount hasn't changed since 1978. It isn't a very expensive bonus.

**Mr. Guy André:** It's a matter of principle.

**Ms. Dyane Adam:** At the Office of the Commissioner for Official Languages, we have been maintaining for years that the bonus should be abolished.

**The Chair:** Thank you, Mr. André.

We'll continue with Mr. Simard, who will be the last to speak during this round. However, I would suggest that we do a last quick round in order to best benefit from the presence of the Commissioner and her team.

Mr. Simard.

**Hon. Raymond Simard (Saint Boniface, Lib.):** Thank you very much, Mr. Chairman. Welcome to Ms. Adam and her team.

I'd like to ask three questions. Some of them relate to the three issues raised here today. I know that the provinces, nationwide, are open to working with the federal government in terms of service delivery. We've noted that some provinces have already started to do so. Within the federal government, we've been hearing of this type of objective behind the scenes; mention has even been made of a new system of service delivery countrywide.

In my opinion, it could give us an opportunity to express our views on the issue straight away. We could even insist on having the working language in minority language communities be that of the community. I don't know if you agree, but according to me, if this initiative were to take hold, we would really have to be vigilant and proactive, for once.

**Ms. Dyane Adam:** I certainly agree with you. As you've stated, it's an opportunity, but we also have to bear in mind that, depending on how it's done, this concept could involve some risks. In the past, when changes were being planned within the government, the entire issue of minority language services would be concealed. Often times, it was only added on after the fact.

The government made the announcement, and it's up to us to bring forward proposals. However, we're going to have to look at what is being considered, and sooner rather than later. Has the government done an impact assessment study on services in both languages? When it comes to language of work, if you're looking at a single window, you would be mobilizing part of the province as though there were only designated bilingual areas. That would be a problem in Manitoba. It could have consequences.

It is, in my opinion, an opportunity, insofar as it would be possible to take a fresh look at how services are offered to our community. As I mentioned earlier, there are areas in the country where the quality of service delivery has not improved in the last 10 or 15 years. So, if it's not a success, why constantly use the same model? Perhaps it's not an appropriate model. In this respect, the idea of centralized services, of a single window or a system similar to what is found in Manitoba could be...

**Hon. Raymond Simard:** ... useful.

**Ms. Dyane Adam:** Indeed

**Hon. Raymond Simard:** I'd like to talk about the action plan. I believe there are two ministers who have some oversight on official languages, Mr. Bélanger and Ms. Frulla, and they've both said that the implementation of the plan is behind schedule. I think that that is a fact that we all agree upon.

However, some witnesses who have appeared before us recently asked us to ensure that the quality of these agreements be good, for instance when it comes to education. We often wonder if the funds earmarked at the provincial level will disappear in the black hole that is education, meaning that our goals won't be reached. I think that we

should be mindful of this possibility. Minister Frulla is committed to signing the agreements before the end of the month of March, and I think that it will happen. I also believe that we should strike good agreements. I'd like to hear your comments in this regard.

**Ms. Dyane Adam:** Right now, we're hearing about accountability everywhere and often. Communities have to be accountable for the way in which they use the money they receive from the federal government, and they have to prove that they have really achieved the stated objectives. The same applies to governments.

If the federal government grants certain sums in order to obtain specific results, whether with respect to minority language or second language, it has to ask for accountability, and there have to be progress indicators to that end.

Undoubtedly, Canada community agreements were sometime rather general. There was talk of principles, but there was not a focus on stricter accountability.

• (1030)

**Hon. Raymond Simard:** Do I still have two seconds, Mr. chairman?

**The Chair:** You still have 30 seconds.

**Hon. Raymond Simard:** My colleague, Mrs. Boivin mentioned language of work. After having heard from the witnesses, I realize that this is really the core of the problem. People are telling us that they work in French 5 to 10 per cent of the time. Mr. Poilievre has often raised the fact that people are trained et that they don't subsequently use the language that they have learned. I think this comment is important.

Can you tell me whether in the past, thoughts have been given to impose certain things? For instance, you can decide that on Mondays and Tuesdays, you work in French. This idea may be a bit ridiculous, but if you're counting on the goodwill of upper management, I think that people will continue to work in French 5 to 10 per cent of the time.

**Ms. Dyane Adam:** It is difficult to legislate behaviour, attitude and mindset. However, supervisors and officials have all signed contracts with their superiors. They have therefore signed performance agreements. Therefore, if we decided that the performance bonuses they are entitled to were tied to their ability to demonstrate that both languages are actually be used in the workplace they are responsible for, you might see behaviour changes.

**Hon. Raymond Simard:** Thank you.

**The Chair:** Thank you, Mr. Simard.

We're now into our fourth and final round. I would therefore ask you to be brief, as much as possible.

Mr. Lauzon, you have the floor.

[English]

**Mr. Guy Lauzon:** Thank you, Mr. Chair.

I'm just looking for one-word answers, basically. You people receive complaints that the official languages haven't been delivered. Can you tell me last year, as an example, how many complaints you received across the country?

**Mr. Michel Robichaud (Director General, Investigations Branch, Office of the Commissioner of Official Languages):** Last year we received approximately 1,500 complaints.

**Mr. Guy Lauzon:** Saying people weren't getting the language of—

**Mr. Michel Robichaud:** Service to the public makes up 80% of the complaints.

**Mr. Guy Lauzon:** They can't receive service in the language of their choice.

**Mr. Michel Robichaud:** That's right. The rest concern language at work, etc.

**Mr. Guy Lauzon:** I assume all complaints are investigated.

**Mr. Michel Robichaud:** Not all complaints. Some are not receivable, don't meet the criteria of the act, but 85% are.

**Mr. Guy Lauzon:** What's the nature of the majority of them? It's because a francophone or an anglophone went to a federal office and couldn't get service in their native language?

**Mr. Michel Robichaud:** That would be the majority of them, yes.

**Mr. Guy Lauzon:** Okay. Thank you.

Ms. Adam, can you tell me again in English—I think I got the message in French when my colleague asked—the action plan to date. You are saying that by the end of March, as far as you know, there will be very little or no progress made on the action plan?

**Ms. Dyane Adam:** I said there was no agreement signed yet. We're still waiting to see whether this will be done, as was promised by Minister Frulla. So how much progress has been made I cannot tell you, but I can tell you that it hasn't been signed yet.

**Mr. Guy Lauzon:** Thank you very much.

[Translation]

**The Chair:** Thank you, Mr. Lauzon.

Let's move on. Mr. D'Amours, you have the floor.

**Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.):** Thank you, Ms. Adam. I would like to talk to you about the action plan for official languages. We've been mentioning it for quite sometime. There may be some catching-up to do. I would like to know if you still believe that the implementation of the action plan for official languages will be beneficial for linguistic communities. At this point, we still have some work to do. Moreover, remedial action may be necessary, for various reasons.

Do you still believe that the implementation of this plan will really improve the situation and that the communities will be better off from a language point of view?

• (1035)

**Ms. Dyane Adam:** It is obvious that the plan does not deal with all the issues nor with all the concerns of our communities. However, if the goals we have invested in are reached—because the funding is still limited—there will be progress. If the plan is implemented, there will be progress without a doubt. There will be progress when it comes to immigration, second language learning, minority language learning. There will also be progress on the working language front. However, when you have to catch-up for lost time, it's important to speed things up. You have to make a serious effort, and if it is not

done quickly, the enthusiasm that had been built-up in communities, the provinces, and schools, starts to wane. This is unfortunate, not only because the money has been invested and actions must be taken, but also because people have been engaged in a process where they have invested a lot of time, effort and energy. People are the ones who make a difference. If you undermine their enthusiasm, you may not get the same results, despite the same investment.

**Mr. Jean-Claude D'Amours:** In the end, it's about being proactive...

**Ms. Dyane Adam:** There's no time to waste.

**Mr. Jean-Claude D'Amours:** ... to avoid having communities, provinces or organizations sensing any wavering. So, it's important to move forward and go even further than we currently are.

**Ms. Dyane Adam:** I don't know if you've ever belonged to a sports team. Coaches always maintain a good level of energy in their team, and we know that that is often more important than anything else. That's exactly what the federal government has to do. It has to be a real coach when it comes to official languages in order to maximize and to maintain the level of energy, interest, hope, etc.

**Mr. Jean-Claude D'Amours:** Perfect. In the end, it has to be a leader on official languages.

**Ms. Dyane Adam:** Yes.

**Mr. Jean-Claude D'Amours:** Thank you very much.

**The Chair:** It has to lead with energy.

Thank you, Mr. D'Amours.

There will be two other comments. Mr. Desrochers, you have the floor.

**Mr. Odina Desrochers:** Thank you, Mr. Chairman.

Mr. Simard announced that Ms. Frulla was going to give you answers by March 31, 2005. This is good news. We asked her the question and finally...

Let's talk about outcomes. What would happen if you didn't get answers by March 31, 2005?

**Ms. Dyane Adam:** I'm sorry, I didn't understand your question.

**Mr. Odina Desrochers:** What would happen if you didn't get answers by March 31, 2005?

**Ms. Dyane Adam:** Of course, I would report on the implementation of the plan before Parliament, because it is my duty to do so. Clearly, Ms. Frulla would have to answer to Parliament, government, communities and citizens.

**Mr. Odina Desrochers:** At that point, it would certainly be a setback. It wouldn't just be the status quo.

**Ms. Dyane Adam:** Yes, it would be a setback.

**Mr. Odina Desrochers:** It wouldn't even be the status quo.

**Ms. Dyane Adam:** When it comes to official languages, if you're not moving forward, you're falling back. Communities end up losing hope or giving up. In that respect, maintaining your bilingualism or your language in a minority situation will always be an effort. It's part of the reality of being a minority. However, if you have faith and hope that things will improve, you're much more focused and you can make progress.

**Mr. Odina Desrochers:** Ms. Adam, that means that if ever Ms. Frulla were to put off giving you the information that you're expecting, it could be very hard on the morale of minorities. They would view the government as not playing its leadership role, as you say. At that point, your role will be to exert even more pressure. Can we expect more action then? I would say that it isn't so much an action plan but rather an inaction plan that you are describing to me this morning.

•(1040)

**Ms. Dyane Adam:** You can ask minorities what it's like for them on a daily basis to have a plan and a deep desire to move forward and to held back. They are in a better position than I am to answer your question. Nonetheless, as far as we're concerned, the federal government has done a good thing in adopting an action plan. It was a good investment. Now, it has to implement it. I stated earlier that it was all fine and well, to have a plan, but that it remains nothing more than a plan. It only becomes a reality insofar as it is implemented. So, that is the true test for the government.

**The Chair:** Thank you, Mr. Desrochers. We're going to move to Mr. Godin, and then it will be the end of our time here with the Commissioner. I want to remind you that we will be going in camera for about 10 minutes to discuss future business, among other things.

**Mr. Yvon Godin:** I'd like to start by raising a point of order, Mr. Chairman. I don't believe that the motion that I am tabling should be discussed in camera. The motion should be discussed publicly. I agree with discussing future business in camera, but when it comes to a motion, I don't think that that should be discussed in camera.

**The Chair:** It's up to the committee to decide. There will also be questions regarding future business.

**Mr. Yvon Godin:** Yes. Thank you.

In your 2003-04 report, Ms. Adam, you state that you received recurring complaints regarding the notable underuse of French as a working language. Since you tabled your report, have you received as many complaints?

**Ms. Dyane Adam:** I will ask my colleague Mr. Robichaud to answer your question. I don't think so.

**Mr. Michel Robichaud:** Indeed, Mr. Godin, there has been no change when it comes to the number of complaints we have received over the last two years. As regards the working language, we always receive more or less the same number of complaints.

**Mr. Yvon Godin:** If you're not moving forward, you're falling back.

Ms. Turmel, the President of PSAC, mentioned the case of a francophone woman who had worked in the Northwest Territories and received a letter of reprimand because she had used her mother tongue, French. I think a complaint was filed before the Office of the Commissioner of Official Languages.

Take mining for example. This is an area under federal jurisdiction. Would this person working in the Northwest Territories be protected under the federal Official Languages Act because it comes under federal jurisdiction?

**Ms. Dyane Adam:** Yes. If it's a federal institution, it is subject to the Official Languages Act in the same way as other institutions are.

**Mr. Yvon Godin:** Does the same thing apply if it isn't a federal institution, but rather a governmental institution such as the Northwest Territories?

**Ms. Dyane Adam:** The Northwest Territories have their own Official Languages Act. French is one of nine other languages. French and English remain official languages in the territories.

**Mr. Yvon Godin:** Does that mean that people are protected under the federal Official Languages Act?

**Ms. Dyane Adam:** They are protected by both the federal and provincial legislation.

**Mr. Yvon Godin:** Because it is an area that is under federal jurisdiction?

**Ms. Dyane Adam:** No, they have their own legislation.

**Mr. Yvon Godin:** They have their own legislation. I have no further questions. I thank you very much. Keep up your good work.

If the government wants to listen to you, it will make a difference. It isn't a matter of politics, Ms. Adam.

**The Chair:** Thank you very much, Mr. Godin.

This brings to an end our time with the commissioner. Ms. Adam, thank you very much for having taken the time to be with us today. Mr. Finn and Mr. Robichaud, and Ms. Myer, thank you very much once again. I think your testimony has been extremely useful for us in our consideration of bilingualism and of the action plan for official languages. We shall have the pleasure of seeing you again shortly. Let us continue with Mr. Godin's motion.

**Ms. Dyane Adam:** Thank you very much.

**The Chair:** Thank you for meeting with us.

We will suspend the sitting for a few minutes, following which we will discuss the motion.

•(1044)

\_\_\_\_\_ (Pause) \_\_\_\_\_

•(1049)

**The Chair:** The meeting has resumed and it is still public. I will suspend again so that we can discuss certain issues in camera. We will now discuss the motion tabled by Mr. Yvon Godin. Notice of motion was given last Friday, so the motion is in order. Mr. Godin wishes to discuss this with us today.

Mr. Godin.

**Mr. Yvon Godin:** Thank you, Mr. Chairman.

As you can see, the motion is in both official languages. It had to be back at the Standing Committee on Procedure and House Affairs no later than February 18<sup>th</sup>, but the committee granted us an extension last Tuesday as we were to meet today. Several committees have already adopted this motion, which deals with non-judicial government appointments. Should I read it in its entirety?

•(1050)

**The Chair:** I do not think so. Committee members are conscientious and they have already read it.

**Mr. Yvon Godin:** I move that we adopt this motion. It is important that we have this transparency, as the government says that we must be transparent. Demonstrating more transparency is a way of modernizing our Parliament. The other members of the committee may wish to discuss this now.

**The Chair:** Does someone wish to speak? If not, we could move to the vote.

Mr. Simard.

**Hon. Raymond Simard:** Thank you very much, Mr. Chairman. I have had the opportunity to read the motion and I would like to make a few comments.

First of all, it does not specify which appointments are concerned. This is a problem insofar as it is not necessarily the work of committees to review all appointments to federal government organizations and agencies. Our committees could get bogged down and this could prevent us from doing our work.

A great deal is already being done in the area of democratic reform to improve the transparency of these positions. I am the parliamentary secretary to the minister who is responsible for this. We also make sure that the people chosen or recommended have some ability to do the job that is being offered.

At this time, Mr. Alcock of Treasury Board is reviewing the positions for which the selection criteria should be submitted to committees. For example, we had proposed that this be the case for director generals, as it is for presidents. The committees have requested that this also be the case for presidents of agencies. For example, the selection criteria for the president of Canada Post would be submitted to committees.

The government is already working on improving transparency, to ensure they appoint people who have the necessary skills. We should wait for that work to be done.

Unless I have misunderstood your motion, Mr. Godin, this would apply to all appointments. I do not support this motion. These appointments are the privilege of the executive, which is showing a certain openness of spirit as they are prepared to discuss this with people, and to submit the criteria for certain appointments here.

Moreover, there is a right of oversight after appointments that also exists, as was the case for the judges of the Supreme Court, whose nominations were reviewed. These appointments were found to be altogether adequate and respectable.

Those are my comments. Thank you.

**The Chair:** I would ask you to be brief, as we currently have very little time. Does anyone wish to add anything?

Mr. Poilievre, briefly.

**Mr. Pierre Poilievre:** We support this motion in general. The intention of the motion is to increase the level of accountability within our government. We are not satisfied with the current system,

because it is clear that certain government appointments are often motivated by political issues. We will support the motion.

**The Chair:** Thank you, Mr. Poilievre.

Ms. Boivin, please.

**Ms. Françoise Boivin:** Overall, I do not have many objections to this motion. I agree with paragraphs 1, 2 and 3, which seem quite reasonable to me. They refer to the basics, that is to say that we should agree on the criteria, the skills and competence. However, as Mr. Simard was explaining earlier on, my concerns deal with paragraphs 4 and 5.

I agree with Mr. Poilievre as far as transparency is concerned. I think we have all reached that point. Everyone agrees: we all want to be able to say that an appointment is non partisan and that the designated person is the right person for the job.

On the other hand, I'm afraid Mr. Godin, that we will become so bogged down! It reminds me of the time when I was sitting on boards of directors. At times, we had so much work before us that it turned into rubber stamping because of lack of time. I am afraid that if we launch this process, within a few months one meeting every two months will be clearly inadequate, given the number of appointments. We would have to review 150 resumé's fairly quickly. That is what worries me.

•(1055)

**The Chair:** Thank you, Ms. Boivin.

We have very little time left.

Do you have a point of order, Mr. Godbout?

**Mr. Marc Godbout:** In my opinion, the substance of this motion is interesting, but I feel that we do not have enough time to discuss it.

Would Mr. Godin agree that we take up this discussion later on? The motion has some very good elements, but others worry me.

**Mr. Yvon Godin:** There is only one problem. The Committee on Procedure and House Affairs are waiting for this motion. On the other hand, it was accepted by the Standing Committee on Finance as well as the Standing Committee on Citizenship and Immigration. It is the Liberals that are refusing to be transparent.

I am sorry, but we want the motion to be adopted. I move that we adopt this motion.

**The Chair:** Mr. Godin, I would ask you to refrain from partisan attacks. Let us try to remain neutral on this subject.

**Mr. Pierre Poilievre:** I hope that in future, this will also apply to our party. During the last meetings, it was clear that partisan attacks were absolutely allowed.

**The Chair:** This is exactly what we try to avoid at all times in this committee, Mr. Poilievre.

Are there any other comments on this subject?

**Mr. Odina Desrochers:** I ask that the question be put.

(Motion agreed to.)

**The Chair:** You have received information regarding our future meetings. We will be very busy from now until April. Also, I will be

appearing before the liaison committee today to propose and defend our travel budget for the month of April.

I thank you for your attention and for your participation. Until next week.

During our next sitting, I will tell you briefly about my meeting with Jean-Marc Beausoleil, who represents the Fondation de la langue française pour l'innovation sociale et scientifique.

Meeting is adjourned.

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