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Mr. Steven Blaney

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• (0905)

[Translation]

The Chair (Mr. Steven Blaney (Lévis—Bellechasse, CPC)): Good morning, and welcome to this 30th meeting of the Standing Committee on Official Languages. It is my pleasure to welcome you to this meeting, which will be divided into two parts. To begin with, we'll hear from witnesses about the language skills of exempted management staff, pursuant to our orders of the day. Then, we'll discuss motions which may have an impact on our schedule.

First, I'd like to remind committee members that they were supposed to provide a witness list this morning for our post-secondary education study. But don't worry, I'm going to extend the deadline because we still have a lot of other work to do beforehand.

Without further ado, we'll move on to the first part of our meeting, the discussion on the language skills of exempted management staff. Mr. Cashman, from the Public Service Alliance of Canada, and Ms. Ellis, from the Public Service Agency, declined our invitation. We are pleased however to welcome Ms. Barrados, who was not able to appear before us as part of our study on the Official Languages Action Plan. However, her colleagues were in attendance. This morning, she is able to join them.

[English]

Madame Barrados, welcome to the committee. I invite you to make a short presentation, and then we will proceed to questions from the members.

[Translation]

Ms. Maria Barrados (President, Public Service Commission of Canada): Thank you, Mr. Chairman.

I would like to thank you for this opportunity to appear before your committee to discuss the work that we do at the Public Service Commission to support the official language requirements of Canada's public service.

I have with me this morning Mr. Donald Lemaire, Vice-President, Staffing and Assessment Services Branch, and Dr. Henry Edwards, Director, Research and Development.

In my remarks this morning, I would like to talk about second language assessment in the federal public service. I will also provide the committee with an update on the modernization of the second-language evaluation tests.

I would like to begin by briefly outlining the goals and responsibilities in the area of official languages.

The Official Languages Act directs that members of the public must be served in the official language of their choice and that public service employees have the right to work and be supervised in their preferred language in those regions of Canada designated as bilingual for work purposes.

The Treasury Board Secretariat, as the employer, sets the official languages policy.

Using Treasury Board Secretariat policies and directives, departmental managers are required to assess the duties and identify the linguistic profile of each position. Those managers are also responsible for determining where the positions will be staffed on a bilingual imperative or non-imperative basis.

The Canada Public Service Agency sets the standards that determine the language proficiency levels A, B and C. The Canada School of Public Service is responsible for language training.

The Public Service Commission is responsible for developing instruments to test individuals' proficiency in their second official language against the standards. These skills are evaluated by the English or French versions of three Second Language Evaluation tests.

Testing is usually undertaken to assess the second language proficiency of candidates as part of the appointment process. Public servants who have completed language training are also tested. The tests are designed to measure whether or not public servants can fulfil the language requirements of the positions they occupy. The scores received on these tests are valid for a five-year period. After five years, public servants are required to be re-tested to confirm their language proficiency if they are appointed to a new position.

• (0910)

[English]

If candidates have obtained level C for a particular proficiency—reading, writing, or oral interaction—and their results are especially strong, they are granted an exemption from further testing in that proficiency. These are cases in which the strength of the test results indicates that those candidates can be expected to maintain level C.

I understand there is some concern that some public servants who have been exempted may not maintain their level of second language proficiency. According to the attached chart, which shows statistics for the EX group during the years 2003 to 2007, for those tested in English, 76 candidates attained level C on the oral interaction test, and 51 candidates—40%—attained an exemption. For those tested in French over the same period, 1,263 candidates attained a level C on the oral interaction test, and 42—or 3%—attained an exemption.

The approach on exemptions is consistent with the practice in other bilingual institutions such as the University of Ottawa, where there is no retesting. Mr. Chairman, the use of exemptions is certainly an area we could examine more closely if it is the wish of the committee.

In your recent report "Leading by Example: Bilingualism in the Public Service and Renewal of the Action Plan for Official Languages", the committee made a series of recommendations related to bilingualism in the public service. I would like to take this opportunity to bring you up to date on the initiatives taken by the Public Service Commission to modernize its second language evaluation tests.

The renewal is being undertaken to ensure that our tests continue to be valid and relevant. We are also able to consider the latest research and advancements in the study and application of assessments. In October of last year, the commission implemented a new second language evaluation test of written expression. When Mr. Lemaire and his colleagues met with this committee on February 12, they provided information on the preliminary results that showed lower success rates on the French test, particularly for level C. We assessed those results, and the test was confirmed to be a good measure of the A, B, C language standards.

Feedback gathered as part of our professional best practices approach revealed that candidates found the test fatiguing. We also learned that it was difficult to administer both the new writing test and the existing reading test in the same half-day period. Based on this feedback and additional study, the written test has been modified. The number of items has been reduced from 80 to 65, and the administration time has been reduced by 10 minutes. The new version of the test will be implemented in early June.

We also plan to roll out a new second language evaluation test of oral proficiency later this month, and a new second language evaluation reading and comprehension test will be implemented in the fall of 2009. Our approach to modernizing these tests has been guided by what we heard during extensive consultations throughout the public service. As we move forward, we will continue to monitor the results of our new tests to ensure they are working effectively.

[Translation]

Mr. Chairman, on April 29th, we were honoured that parliamentarians joined us to open a special exhibit at Library and Archives Canada to mark the centenary of the Public Service Commission. As we reflect on the achievements of the Public Service Commission during the past 100 years, we take great pride in our contribution to implementing Canada's official languages policy.

[English]

We look forward to continuing to work with parliamentarians to ensure a professional, non-partisan, and representative public service that is able to serve Canadians in both official languages.

Mr. Chairman, I would be happy now to respond to any questions.

The Chair: Thank you, Madam Barrados, for this introduction.

We will now proceed with some questions and comments from the members.

Mr. Coderre will start the first round.

[Translation]

Hon. Denis Coderre (Bourassa, Lib.): Good morning, Ms. Barrados. It's always a pleasure to see you.

I would like you to explain to me in what way these tests are too exhausting for public servants. Aren't they preparing properly for the tests? What is going on in their heads? I see that you have the director of the psychology centre with you. Are francophones and anglophones experiencing the same problem?

● (0915)

Ms. Maria Barrados: Thank you very much.

We have observed a problem with both francophones and anglophones when it comes to level C. We have considered the possibility of overhauling our testing process. However, we're convinced our tests are a good way of evaluating levels A, B and C. On the other hand, we have noticed that the length of the tests is perhaps an issue.

Mr. Edwards can elaborate on this since he is an expert in the testing process.

Mr. Henry Edwards (Director, Research and Development, Personnel Psychology Centre, Staffing and Assessment Services Branch, Public Service Commission of Canada): Thank you.

I do agree entirely that the situation is identical for both francophones and anglophones. Most candidates sit for the written expression and the written comprehension tests at the same time, that is over the course of a half day of testing. Each test lasts about an hour and a half and requires concentration. Testing is either paper- or computer-based. There is a short break between the two tests.

When we developed the new test, we added a number of sections. We realized that that required an additional period of concentration and effort without a break and that it meant that the break between the two tests ended up being shorter. Many candidates told us that it was more tiring and stressful than it used to be. Moreover, the test administrators told us it was difficult to administer the tests in the most efficient manner, that is over the course of a one half day.

That's why we considered cutting back the length of the written expression test without making it any less reliable or valid. We discovered that the testing was extraordinarily reliable. In fact, the reliability coefficient was one of the highest I have ever seen over the past 40 years. We then conducted empirical studies to determine just how many sections of the test we could cut out without affecting the test's reliability or validity. We discovered that we could reduce the test to 65 items without running the risk of jeopardizing its relevance, value, and validity.

Hon. Denis Coderre: Are our public servants stressed because the test is too long and it is causing them problems in terms of concentration?

Ms. Maria Barrados: It's the length of the tests that is the problem.

Hon. Denis Coderre: And the fact that candidates sit for both tests at the same time.

Ms. Maria Barrados: They do indeed sit for both tests over the same time period. We have to make sure that it is a true measure of their proficiency. If we're able to measure this reliably over a shorter period, we'd be prepared to do so.

Hon. Denis Coderre: As far as validity of the tests is concerned, you need valid empirical results. When it comes time for them to re-sit a test, is the stress attributable to the fact that it is a re-evaluation? Or is it possible that it's more of an issue to do with lack of preparation or the environment in which these individuals work?

Ms. Maria Barrados: We've observed that sitting for such tests and evaluations was stressful for all adults regardless of which language the test was done in. It is up to public servants to figure out how they're going to prepare for tests. Some of them get lessons, and others prepare by themselves.

Hon. Denis Coderre: I imagine that age is a factor and it must be harder for some people than it is for others.

• (0920)

Mr. Henry Edwards: Of course, there are statistics on age, but based on the data I've seen, age is more an issue in terms of language training and when it's done. In other words, if someone has learned a language at 30 years of age and is evaluated at 60, they've probably maintained the language and won't necessarily have much trouble. On the other hand, someone who starts language training at age 60 is going to have more trouble.

Hon. Denis Coderre: So it's not the same.

Mr. Henry Edwards: It's more of an issue when training—

Hon. Denis Coderre: So age only really has an impact in terms of when you do training, and that's it.

Mr. Henry Edwards: Based on our data.

Hon. Denis Coderre: Do you also deal with organizations, such as the coast guard?

Ms. Maria Barrados: The Public Service Commission is responsible for the core of the public service, and the coast guard is part of this.

Hon. Denis Coderre: Go and get them to sit tests there, that will be interesting.

Thank you.

The Chair: Thank you very much, Mr. Coderre.

Now we'll move on to Mr. Nadeau, from the Bloc Québécois.

Mr. Richard Nadeau (Gatineau, BQ): Thank you, Mr. Chairman.

Good morning, everyone. I meet with public servants from the region on a quite regular basis. And here's what I have taken away from comments that have been made to me: when an anglophone passes a test in French, so in his or her second language, you don't hear that person speak in French afterwards. It's as if the individual has done what he needed to do and now that he has level C, he doesn't want to be bothered, "*now we'll work in English*" is the attitude, and if you have anything you want to ask that person, well then the answer will be in English.

Are there any complaints of this type from employees or from the union?

Ms. Maria Barrados: Using both official languages is a problem in the public service. Many departments tend to operate in one single language, which is almost always English. A few departments are far more bilingual. We've discussed this problem at length because we want to see change effected in the workplace. We want public servants who are working in a bilingual region to use both languages. And that is a challenge for several departments.

Mr. Richard Nadeau: So, there is some truth in what I'm hearing.

Ms. Maria Barrados: The problem is with the way departments operate. If you work every day in both languages, there's a lot more impetus for you to speak the other language. For example, the Public Service Commission is a truly bilingual organization; our meetings take place in both languages.

Mr. Richard Nadeau: When Mr. Masse became the Minister of National Defence, he said that he wanted his memos to be in French, which led to an angry outcry in the department. I heard about this in the media. Seems that things haven't really changed since then. As you said, bilingualism seems to be more of a problem in some departments than it is in others. And that's something that needs to be seen to.

I would like to broach another issue. As a francophone, my English test is tougher than the French test is for an anglophone. I've never seen the tests and I have never sat for a test. But this is what some people have told me. Perhaps it's because they failed and were not happy with the outcome. The questions deal with culture or idioms; other questions involve multiple choice or role play.

How can you back up the statement that the English and French tests are really equivalent? You said that the tests were of excellent quality, Mr. Edwards, but my question is still valid. Is my concern warranted? I imagine that you're trying to work around this. How do you ensure that such discrepancies don't occur?

• (0925)

Ms. Maria Barrados: I can perhaps respond initially and let Mr. Edwards follow up.

We're in the process of overhauling the tests to ensure they have a focus on everyday language. Now, as far as whether or not one test is easier than another, experts like Mr. Edwards assure me that the tests are valid in both languages and that they meet the A, B and C standards. Still, we can ask him what process he carries out to ensure that this is the case.

Mr. Henry Edwards: In fact, I can assure you that we use every means at our disposal, be they technical or professional, to ensure that the French and English tests are equivalent. In my opinion, that's a very important and relevant question, since English and French are two different language systems with different vocabulary and grammatical rules.

In the process of developing new tests, we ensure that the test's table of contents, in other words the grid upon which the test's content is determined, is the same for both English and French tests. We also ensure, despite the fact that the tests are developed by two different teams with francophone language consultants in one group and anglophone consultants in the other, that the teams consistently work together. They interact on a continuous basis to ensure that the tests are identical.

In addition to using the typical psychometric methods, we use an approach called the Item Response Theory in English. This is a statistical method designed to compare tests to ensure their equivalency. Moreover, we ensure that the items' level of difficulty is similar during the pilot study process. We're more than aware of the fact that the average second language proficiency of francophones in Quebec far exceeds the average second language proficiency of anglophones in British Columbia, for example.

We ensure that the samples we choose for our pilot studies are sufficiently diverse and representative of the full gamut of skills. And we base our levels on this.

And we continue to do statistical studies on our tests to ensure that

The Chair: Thank you, Mr. Edwards.

Mr. Henry Edwards: When I am asked a technical question, I tend to go on and on. I'm sorry about that.

The Chair: Thank you very much, Mr. Edwards. You really took off there.

We'll now move on to Mr. Godin.

• (0930)

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

I'm going to continue along the same lines. Why, for example—perhaps I should bring in the documents—at the Department of National Defence, are the tests for francophones longer than they are for anglophones? There are more questions, etc. This is a known fact even today, in 2008.

Ms. Maria Barrados: Are you referring to tests for members of the armed forces, or tests for the public servants of DND?

Mr. Yvon Godin: I'm referring to the tests for members of the armed forces who want to rise through the ranks and who must be proficient in both languages.

Is the commission responsible for that?

Ms. Maria Barrados: No, we are not responsible for that, but I will nonetheless ask Mr. Lemaire to answer your question.

While we do offer this service to members of the military, it's possible the department has its very own unique tests.

Mr. Yvon Godin: So it may have its own tests for the members of the armed forces, along with those of the commission.

Is the commission nonetheless responsible in any way at all, and if so, why would there be a different number of questions on the tests?

Mr. Donald Lemaire (Vice-President, Staffing and Assessment Services Branch, Public Service Commission of Canada): I am unable to answer that question because I am not aware of that specific situation. According to our agreement with the Department of National Defence, it can use the results of its tests—because the employee may wish to occupy other positions within the public service—but those results must be known and equivalent to those of the tests that we administer.

Mr. Yvon Godin: The Public Service Commission of Canada has delegated its staffing powers to the deputy minister, subject to the conditions it has established.

Which conditions have you established and why did you delegate your powers?

Ms. Maria Barrados: We delegated staffing responsibilities, except for a few such as the use of the priority system. Under this system, managers must contact the Public Service Commission of Canada to find out whether there is a person on the priority list who can occupy a position. This person may be absent, on sick leave or have had an accident, among other things.

The other exclusions were investigative powers. We cannot delegate all areas linked to political issues.

Mr. Yvon Godin: Why did you delegate some powers?

Ms. Maria Barrados: Because throughout the legislative renewal process in 2003, we held many discussions about the best approach to take to modernize staffing. In the preamble to the legislation, there is a directive requiring the Public Service Commission of Canada to delegate and to have a system under which managers are responsible down to the lowest level possible. The idea was to obtain a veritable commitment on the part of the managers. At the same time, with this system of delegation, we can focus much more on monitoring and audits.

Mr. Yvon Godin: Have there been results since 2003?

Ms. Maria Barrados: Yes. We prepare an annual report. It is not complete, but we now have a delegated system. The policy frameworks are in place and we are carrying out monitoring and audits. We have found that we have made good progress, but there are situations where we—

Mr. Yvon Godin: For example, was the coast guard delegated to the Deputy Minister of Fisheries and Oceans Canada or to the Deputy Minister of Transport Canada? Have things improved? When the coast guard vessel Simon Fraser went to the Magdalen Islands, no one on board spoke French. What are the results?

Ms. Maria Barrados: We have not evaluated language use within the Canadian Coast Guard, but recently, I submitted a report to Parliament concerning the RCMP. Staffing at the RCMP really caused us problems.

• (0935)

Mr. Yvon Godin: And for us as well.

Ms. Maria Barrados: In that case, we established conditions for the delegations. We established restrictions and we made sure that there was someone from the Public Service Commission of Canada who worked with them. When we have problems, we take corrective action.

Mr. Yvon Godin: Let's talk about training. I'm going to give you an example. In Bathurst, anglophones who want to learn or improve their French are paid by the government. In addition this training is offered during working hours. However, francophones must take this training in the evening, during their free time, without being paid. Why are the conditions not the same for both groups?

Ms. Maria Barrados: I don't understand that specific case, but according to the current system, the managers are the ones who determine the type of expenditures for the training. They are the ones who decide how to ensure that public servants have the qualifications they need to provide services and perform the supervision that is required of them.

Mr. Yvon Godin: So the public servant—

The Chair: Thank you, Mr. Godin.

Ms. Maria Barrados: The managers are the ones who are responsible.

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

[English]

We'll now turn to Michael Chong on the government side.

Hon. Michael Chong (Wellington—Halton Hills, CPC): Thank you, Mr. Chair.

Thank you to the witnesses for appearing in front of our committee.

How many public servants have passed the tests and now have exemptions?

Ms. Maria Barrados: We gave you a handout that gave the numbers from April 2003 to 2007. We broke that down for the EX classification—the executive level—and the non-executive level. You see the numbers for the test taken in English and the test taken in French. The exemptions for the executives over that period of time are 51 for the test taken in English and 42 for the test taken in French. For the non-executives you have 5,967 tests taken in English and 1,625 tests taken in French.

Hon. Michael Chong: So how many public servants are exempt?

Ms. Maria Barrados: I'm not sure I can tell you that. Do we know that, Henry?

Mr. Henry Edwards: We would be able to find it out. I do not have it here.

Hon. Michael Chong: What percentage of the entire public service would that represent?

Ms. Maria Barrados: Well, you can see that these numbers are pretty small, but this is a four-year period of time.

You first have to have the analysis of how many are required to be bilingual, and the requirements to be bilingual are running at around—I'm going to get in trouble with these numbers—35% to 40%, depending on where you are. Then not everybody of that proportion has to do CBC, so the number goes down. Then, of that proportion, you have a very small number who are exempted. It's a very small number, but we can calculate an exact number for the committee.

Hon. Michael Chong: It would be useful to know both how many people are exempt and what percentage that represents of the overall employment in the public service.

I have another question. In this four-year survey there are approximately 19,000 people who were tested; of those tested, approximately 8,000 or so were exempted, so you have 11,000 people who were tested. It seems to me a low number, because my understanding is that you have to be tested every five years; in other

words, we're testing about 2,500 or 3,000 people a year who are not exempted....

Ms. Maria Barrados: We'll have to come back with the exact numbers. We run about 20,000 to 25,000 tests in each one, so it's 75,000 tests a year. We do a lot of tests.

• (0940)

Hon. Michael Chong: What's this sheet we have here, then, that only has—

Ms. Maria Barrados: Well, this sheet talks only about level C—

Hon. Michael Chong: Oh, it's level C. I understand.

Ms. Maria Barrados: —and only about C level exemptions. The numbers of tests we do....

Of course, you can take it more than once, so if you don't pass, you can do it again.

Hon. Michael Chong: Sure.

One of the things that jumped out at me when I looked at the results for the level C tests or higher is that the pass rate is quite low for the C level or higher. For EX positions, only 6% of all those who take the tests actually get their exemptions. These are executive level positions. I assume these are university graduates, if not people with secondary degrees, and only 6% or 7% of the entire crop of people who were tested actually received their exemptions—in other words, they're fluent enough in both official languages that they don't need to be tested again. It seems to me to be an awfully low number for the calibre and educational backgrounds of those at the EX level.

What have you done as an organization, and what have your peer organizations done, to talk to universities producing these graduates to ensure they are producing graduates who meet the requirements of the public service, especially at the EX level?

Ms. Maria Barrados: I'll just comment on the numbers.

When you look at the EX positions, really the francophones are much more likely to get the exemption than the anglophones, so what this is really saying is that at the executive level it's the anglophones who don't have—

Hon. Michael Chong: Yes, agreed; I look at the pass rate for anglophones and it's 3%. In other words, only three out of a hundred people who are in the executive level of government actually pass the proficiency test to be exempt in the second language. These are people with a lot of educational background—with a minimum of, I would assume, a bachelor's degree—and yet only three in a hundred can pass one of the basic tests in the Government of Canada.

Again, what has your organization done over the years, and what have your colleagues in other organizations done, to liaise with universities to tell them they're not producing the graduates we need for executive level positions in the Government of Canada?

Ms. Maria Barrados: The good news is that it's better when you look at the non-executive ranks. This is an opportunity for new people coming in.

We have been quite active, actually, with the official languages action plan. I'll get Mr. Lemaire to talk a little bit more about that plan and about some of the things we've gone. We have done a lot of outreach. We have established a lot of networks. We have done a lot of work providing information about what is required. The C level is determined to be the level that is sufficient to function. We're not asking for the exemption. The exemption means being very fluent. But we've explained what the levels are and have had a lot of outreach and contact with the universities.

Do you want to add to that, Donald?

Mr. Donald Lemaire: We did a lot of demystification of what the levels of bilingualism mean, because when we were in some regions, they thought that you had to speak perfect French or English in the other regions to be considered bilingual. So we did a video with examples to show people what the A, B, and C levels mean. That was quite useful, because then it kind of brought more reality to what they are.

We are doing other work. You asked about other agencies. At the school—the Canada School of Public Service—they have a DM champion, a deputy minister champion, for the universities. We had a meeting and we discussed this issue with about 20 universities: what do they do to highlight to their students that to work for the federal government it is important to be bilingual? We had a discussion also with Simon Fraser University. They have put in place a program so that those who graduate from immersion have a place to go to university to pursue it. We're going there to do presentations for their students. They have an agreement with Laval.

Hon. Michael Chong: Thank you.

I have just one final point—just a point, not a question—for the committee.

I want to thank the witnesses for their answers and for coming here today.

This is just a point for the committee. We're looking at approximately 42 plus 1,625. So there are approximately 1,700 people who have an exemption. Now, that's out of approximately 18,000 people who actually receive the C level. I think you mentioned earlier that it was closer to 75,000. If you take 1,700 people who received an exemption out of a total of 75,000 tested, you're looking at an exemption rate of probably 2% or so, which is quite low.

• (0945)

The Chair: Exactly.

Thank you, Mr. Chong.

Ms. Maria Barrados: Mr. Chairman, could I add a clarification?

Remember, the requirement is C, so an executive is required to have a C, and that is a sufficient level to function. The exemption just says, okay, you've done so well that you don't have to be tested again.

Hon. Michael Chong: Thank you.

The Chair: Thank you.

We will now move on with the second tour. We now have the five-minute rounds. I understand that our witnesses have some, I would

say, comprehensive answers. Still, I think we can move on, and we'll see if a third round is required, depending on the will of the members.

We'll start right away with Mr. Brent St. Denis.

[*Translation*]

Mr. Brent St. Denis (Algoma—Manitoulin—Kapusking, Lib.): Thank you, Mr. Chairman.

Thank you all for being here today. I have two brief questions to ask you.

First, like my other colleagues from rural ridings, I am very interested in access to the public service for our rural citizens. Is language testing a barrier for our rural citizens? Are there problems, because of the distance and means of communication, with administering the tests? Do these tests represent obstacles for our citizens?

Ms. Maria Barrados: We are always concerned about issues relating to access to the public service. However, the places where the tests are administered depend on the place of work. There are always problems regarding access to the workplaces and the places where the tests are administered. From time to time, we administer the tests by telephone, but in order to administer the written tests, we need some place to do so, and that means that people have to travel there.

Mr. Brent St. Denis: So in general, there is no barrier.

Ms. Maria Barrados: Yes, there is. We cannot administer tests in rural regions, and so people who live there must travel to a testing centre.

Mr. Brent St. Denis: But there must be a way of solving these problems.

Mr. Donald Lemaire: In those cases, we can do testing by telephone. However, the candidate must go to a certain centre to prove his or her identity. So there is a minimum requirement. We also work with our partners from Service Canada, for example. We use their offices to administer tests.

Mr. Brent St. Denis: Thank you very much.

I have another question, Mr. Chairman.

We hear a great deal in the news about the new government rule relating to the publication of press releases. For example, Ms. Fraser must submit drafts of her press releases. That applies to you as well, Ms. Barrados.

What is the goal of such a system?

Ms. Maria Barrados: I have heard criticism about communications, and an employee from my office attends the meetings of government communication representatives. I explained that I had two roles within the government: a parliamentary role and an administrative role. As concerns my administrative tasks, I am prepared to follow the rules, but as concerns my parliamentary functions, I am not going to follow the rules. That's what I said, and I had no problem. For example, I did not send a copy of my opening remarks today to anyone before presenting them. When the RCMP report was tabled, I issued a press release. It was not approved before I sent it to Parliament and to the media. I indicated that I intended to use my discretionary powers as someone appointed by Parliament and I did not receive a negative response.

● (0950)

The Chair: Thank you very much, Ms. Barrados.

We now go to the government side. Mr. Petit, the floor is yours.

Mr. Daniel Petit (Charlesbourg—Haute-Saint-Charles, CPC): Thank you.

Greetings, Ms. Barrados, Mr. Lemaire and Mr. Edwards.

We always wonder whether the senior public service—of which you are examples—is bilingual or not. People can be functionally bilingual or bilingual very easily for other reasons.

The Commissioner of Official Languages, when he came to testify, presented a report that read as follows: “Ninety per cent of employees responsible for providing service to the public in both official languages meet the language requirements of their positions.” So there is a link established between bilingualism and the position. That means that the employee may not necessarily be bilingual in other aspects of his or her position. A senior manager is not a machine. He or she does many other things in life, even it is only to correspond with all employees.

Do the language requirements for your position appear strict to you today? I expect you to answer based on all the tasks that you carry out today and not with regard to former tasks. Are the requirements for your position very strict? How can the linguistic duality of these tasks be appreciated by the public? Ultimately, it is the public who will know whether the public service is bilingual or not.

You have a new power, which I will call a power of oversight, because there is a delegation. How can a deputy minister who does not speak French or English communicate with his minister? Does he use the services of an interpreter? Does he bring two interpreters, one for French and one for English? There are situations in the public service where the deputy minister has trouble communicating with his minister and vice versa.

How does your power of oversight allow you to assess the situation on the ground in ways other than the use of tests? I may pass an exam but not actually be able to speak the language in practice. I would like to know what you do. What should be improved, if anything at all?

Ms. Maria Barrados: Thank you. I will try to answer your questions. First, I would like to point out that the Public Service Commission is not responsible for deputy ministers. We are

responsible for the positions of all other public servants, that is, those of assistant deputy ministers on down. However, I find that the request to specify the level of bilingualism of deputy ministers to be a good idea.

According to our current approach, by law, the definition of merit and the essential requirements associated with a position include the level of bilingualism. To obtain a position, public servants must meet the essential requirements of this position under the act, and that includes the level of bilingualism. The determination of the level required is the responsibility of the public servants. A manager determines whether a position requires a level A, B or C in French or English. That makes it an essential requirement of the position, and that requirement must be met.

You asked me whether the requirements in terms of bilingualism had changed. They were increased for senior managers under a government policy. Level CBC is required for all assistant deputy ministers, directors general and anyone higher than a director general in the bilingual regions. In addition, the Commissioner of Official Languages performs follow-up of service delivery in both languages. I think that things have improved there as well. Lastly, we are closely monitoring the use of exemptions in instances of non-imperative staffing, given that this is subject to the act and to PSC exclusions.

● (0955)

The Chair: Thank you.

Thank you very much, Mr. Petit.

Mr. Gaudet.

Mr. Roger Gaudet (Montcalm, BQ): Thank you, Mr. Chairman.

Greetings, distinguished guests.

I recently had lunch with a group of public servants who told me that they meet at noon to speak in French because during the day, everything happens in English in their department. Are you able to do something about this? Bilingual francophones will never lose their bilingualism, but anglophones who never have a chance to speak French will never be able to become bilingual, in my opinion.

Ms. Maria Barrados: When I was with the Auditor General's Office, I observed that situation in several departments. In some places, only one language was spoken, and it was often English. However, I noticed that in the Quebec City region only French was spoken. However, it is true that in some cases, the workplace is not really bilingual.

Mr. Roger Gaudet: I was referring to the situation in Ottawa, on Parliament Hill, and not in Quebec City. I understand that people tend to speak more French in Quebec City and more English in Alberta. I have no problem with that, provided people are capable of answering in both languages. I have travelled across the country. In addition I visit all national parks and I check whether members of the staff can speak French. Some of them can only speak English, but that doesn't bother me. It's normal. They may only speak with two francophones per year.

However, the situation on Parliament Hill is rather disappointing. Sometimes, people who are unilingual anglophones or francophones are called upon to provide services. That means that everyone who is bilingual must speak the language of the person in question rather than their own language. That's what bothers me somewhat.

Ms. Maria Barrados: I know that it is often a question of courtesy. People want to be polite. I encourage people to use both languages in my office because it gives me the opportunity to practise, and I know that Sheila Fraser does the same thing.

Mr. Roger Gaudet: If we are too polite, we risk losing our mother tongue. It is all very well to be polite, but people should think of us from time to time. We are losing our language. In Quebec, in Montreal, it is the same thing.

You referred to testing. You said that the francophone and anglophone teams work together. Some people said that the tests were more difficult for francophones than for anglophones. Francophones who are fully bilingual have no trouble speaking both languages, whereas unilingual anglophones have much more trouble speaking French. I understand that. So I don't understand why the tests are more difficult in French than in English.

• (1000)

Ms. Maria Barrados: The success rates indicate people's language skills. It has nothing to do with testing. We have recently noticed that francophones find the test in English more difficult, and their success rates are lower than in the past.

Mr. Roger Gaudet: You said that once people have obtained their E or C levels, they no longer have to undergo testing. But perhaps it would be a good idea to administer tests to them occasionally. I have the impression that unilingual francophones cannot function in Ottawa, whereas unilingual anglophones can. Maybe it would be a good idea to re-test people after 10 years to ensure that they are still bilingual.

Ms. Maria Barrados: Under current policy, when a public servant changes positions, he or she must have been re-evaluated within the previous five years. If an employee does not change positions, he or she does not have to sit a new test. We have decided that because of the high scores for exemptions, there is no need to administer the tests again.

We are ready to carry out further studies to put together a reasonable sample and verify if those who were exempted have maintained their proficiency level. We talked about this type of sampling. It could include those who have just entered retirement. I can inquire to see what has become of those exemptions. I do not know if this can be done, but we are ready to do so if that interests the committee.

The Chair: Thank you, Mr. Gaudet for your questions.

We now move on to Mr. Godin.

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

I was in partial agreement with Mr. Petit when he stated that the people appointed speak only in one language. Is there a deputy minister who speaks only French? To my knowledge, there are none. So really, it is the English-speaking deputy ministers who do not speak any French. Do you know how many deputy ministers are unable to speak French?

Ms. Maria Barrados: As I said, I'm not responsible for deputy ministers. I do not have the power to—

Mr. Yvon Godin: I'm not asking you if you have the power to appoint deputy ministers. I'm simply asking if you are aware of the number of deputy ministers who do not speak any French.

Ms. Maria Barrados: We have to rely on our tests to determine whether or not people are bilingual. I do not have the power to force deputy ministers to undergo these assessments.

Mr. Yvon Godin: I do not think that deputy ministers are subject to those tests.

Ms. Maria Barrados: How can I assess whether or not they have a given level?

Mr. Yvon Godin: Deputy ministers are not subject to the tests.

Ms. Maria Barrados: No.

Mr. Yvon Godin: I see.

Does the deputy minister work in the same offices as the public servants?

Ms. Maria Barrados: Yes.

Mr. Yvon Godin: Is there a translation system in the offices of the public service?

Ms. Maria Barrados: All departments have a system, a translation support system, that is not the same as the simultaneous interpretation provided in parliamentary committees.

Mr. Yvon Godin: The French-speaking employee isn't exactly pampered, is he? People are told that they have the right to speak in the language of their choice, but if an English-speaking deputy minister does not speak any French and there is no simultaneous translation, if the public servant wants to speak to the deputy minister, he or she must address the deputy minister in English.

Ms. Maria Barrados: That is a good observation.

Mr. Yvon Godin: I'm not the one answering, but would you say that the employee has the obligation to speak English?

Ms. Maria Barrados: That is a very good observation.

Mr. Yvon Godin: You seem embarrassed to have to answer my question.

• (1005)

Ms. Maria Barrados: I do not know, because I am not in the offices.

Mr. Yvon Godin: Neither am I, but I am not stupid.

Therefore, there are unilingual English-speaking deputy ministers working within the public service. Under the Public Service Act, everyone is entitled to work in the language of his or her choice. Do I understand this correctly?

Ms. Maria Barrados: Yes.

Mr. Yvon Godin: Take for example a meeting with a deputy minister. Would I be able to speak in the language of my choice with a deputy minister who is a unilingual anglophone? I think the answer is evident.

Ms. Maria Barrados: Mr. Chairman, I think that would be a very good question to ask the clerk, who is in charge of deputy ministers, and the Prime Minister. I think that would be a very good question to ask in order to understand how they operate—

Mr. Yvon Godin: I understand that you're trying to do your job. You say that you have tests, that you administer the tests, that you hire people, and make sure there is an opportunity to have both official languages respected within the public service. However, there are departments where it is totally impossible to comply with the act if the senior official is unilingual. You say that the Public Service Commission has delegated staffing powers to deputy ministers who do not speak both languages. Therefore, we can assume that when the decision has been made, and once the door is closed, and people are in their cubicles, there's a big problem.

Ms. Maria Barrados: I cannot tell you how many deputy ministers are unable to work in both languages. I know that within the group of deputy ministers, some are completely bilingual, others are barely bilingual, like me—

Mr. Yvon Godin: You are doing very well. We are not challenging your level of bilingualism.

Ms. Maria Barrados: And yet, I cannot tell you with certainty if there are people who are unable to hold a meeting in the other language. In fact, meetings are held in both languages, but I know that some departments operate mainly in English.

Mr. Yvon Godin: Do you receive complaints?

Ms. Maria Barrados: Regarding deputy ministers?

Mr. Yvon Godin: Complaints regarding deputy ministers made by public service employees who would like to exercise their statutory right and speak in the language of their choice, but do not because their deputy minister is not bilingual.

Ms. Maria Barrados: I have never received that type of complaint.

The Chair: Thank you, Mr. Godin.

I want to point out that it is the Clerk of the Privy Council who is responsible for appointing deputy ministers, and not our committee clerk.

I've also asked Ms. Hurtubise-Loranger to determine exactly what the obligations of the Clerk of the Privy Council are as regards language issues. She will get back to us on that.

It might be interesting to have committee members sit the Public Service Commission's language tests and evaluate their abilities in the other language. We might have a few surprises. That would help us better understand the preparation that precedes these tests and do the same tests as public service employees. I have personally taken it myself under different circumstances.

We have now completed two rounds of questions. There is still Mr. D'Amours to deal with, but if there are no other questions from members, we can thank our witnesses and deal with the motions.

Thank you.

Perhaps we will be in contact with you in order to undergo the public service test and assess our own abilities in the other language. It would be the new oral test to be given in June, I believe.

Thank you for being here.

Ms. Maria Barrados: If there are members who wish to take the test, I can make the necessary arrangements.

The Chair: Mr. Brent St. Denis.

Mr. Brent St. Denis: The results cannot be made public.

Some hon. members: Oh, oh!

[*English*]

The Chair: So we would have two tests for the French language. I guess Mr. St. Denis and Mr. Chong would have the English test.

We'll just take a few minutes.

[*Translation*]

If you wish, we can take a minute or two. We'll suspend the sitting for two minutes, while our witnesses leave the room.

• _____ (Pause) _____

•

• (1010)

The Chair: We will now move on to committee business. There are two motions on the agenda.

I will remind members of the committee that next Thursday, two topics have been placed on the agenda, and they are this morning's topic, and access to justice and appointments to the judiciary. Appointments to the judiciary will be discussed on Thursday. Next week, we will hold our last two meetings with witnesses concerning our study on the collaboration accords. Departmental officials from Canadian Heritage will be with us on May 13, and on May 15, we will be hearing from six witnesses in one single meeting. These witnesses will include representatives from groups we have not heard from yet, such as the FCFA and representatives from the anglophone minority of Quebec. Later in May, we will be receiving representatives from the CBC and representatives from the coast guard.

In addition, there are currently motions under consideration. We can then move on to the report on collaboration accords which will be drafted by our new researcher, Ms. Hurtubise-Loranger.

Mr. Rodriguez and Mr. Coderre have asked to speak.

• (1015)

Hon. Denis Coderre: Mr. Chairman, I need a few clarifications. I am not sure if a motion is needed. I am seeking unanimous consent. Following Ms. Barrados' testimony, I feel it would be important to have the Clerk of the Privy Council appear before us and explain what is going on with deputy ministers. I could obviously table a motion, but I feel that in light of what we have just heard, if there is full agreement, we can simply ask the clerk to appear if his schedule permits. I wish to invite the Clerk of the Privy Council to appear.

The Chair: I will need to verify something.

As you know, Mr. Coderre, here in committee, the 48-hour notice of motion rule applies. Your suggestion is related to the agenda, since it deals with the linguistic abilities and exemptions made at the executive level. The motion is in order.

Hon. Denis Coderre: I do not see why it is necessary to table a motion if my colleagues agree. We are talking about one additional witness. We simply need to add him to the list. I'm seeking unanimous consent on this. We do not need to debate this issue.

The Chair: Are there any questions or comments? Is anyone calling for a vote?

Mr. Yvon Godin: Mr. Coderre has asked for unanimous consent, and everyone has agreed. That matter is concluded.

The Chair: An additional witness has therefore been added to the list.

On my list of speakers, I have Mr. Rodriguez and Mr. Petit. I can add your name, Mr. Godin so that you can table your motions.

Mr. Rodriguez.

Mr. Yvon Godin: Mr. Chairman, we cannot let one comment spin into a debate and distract us from finishing up with the motions. The motions are on the agenda.

Mr. Pablo Rodriguez (Honoré-Mercier, Lib.): We can talk about the motions. I have no problem with that.

The Chair: There are two speakers who wish to comment on your motion. Mr. Godin, it is up to you.

Mr. Yvon Godin: Mr. Chairman, let me be clear. I simply want to make sure that the motions remain on the agenda.

The Chair: Absolutely.

Mr. Rodriguez.

Mr. Yvon Godin: We should follow the agenda.

The Chair: Fine. Do you agree to consider these motions and then hand the floor over to Mr. Rodriguez and Mr. Petit?

Mr. Godin.

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

We have already had the Director General of the Organizing Committee of the Vancouver Olympic Games, Mr. John Furlong, appear before us. I was not happy with the answers we received concerning whether or not the Olympic Games would be broadcast in both official languages across the country. He did not want to say whether or not he could do this, or if this was his responsibility. I believe that our government has a responsibility in this regard. I want to see what that responsibility is.

This is not a matter of grilling the minister, but of determining exactly what the government's responsibilities are and what we can do together to prevent a problem from occurring. I see that indeed, there is a problem. As things stand, French-speaking Canadians living in Fredericton, Halifax, Saint-Boniface or Cornwall, will not have the chance to view the Olympic Games in the language of their choice.

I remember when francophones were unable to watch the opening ceremony of the Canada Winter Games in Bathurst-Campbellton in 2003 because it was broadcast at 2:00 a.m. in the morning. We had to go before Parliament to raise this issue. Who is still up at 2:00 a.m.? Ultimately, the government came to an agreement with television stations to resolve this matter.

Currently, we are fortunate to have another two years to prepare. Now is the time to deal with this issue. I do not think we had Mr. Furlong appear simply for the pleasure of hearing him talk, and not take any action afterward. He clearly stated that there was a problem, so it would be good to talk about it. It would also be important, among other things, to determine what the responsibilities and powers of inquiry of the Official Languages Commissioner are. This is not strictly about broadcasting. You can go over the document that I have here. The problem is that contracts are drafted in English, and even if they are drafted in French, there must be an English translation. These people want only the English version of the contracts to be the one that counts. We brought this up in order to make adjustments. The Official Languages Commissioner has the responsibility to examine matters in advance of the Olympic Games.

I'm seeking leave of the committee to have Ms. Verner appear, for the simple reason that she is the minister responsible for official languages in Canada. I wish to see what the minister and the government can do to help us. We can then decide afterward whether or not to hear from other witnesses. For now, it is important that we hear from the minister as well as the Commissioner of Official Languages. I am tabling this motion.

• (1020)

The Chair: Thank you, Mr. Godin. Everyone has a copy of your motion, which reads as follows:

That the Minister of Canadian Heritage, Status of Women and Official Languages, the Honourable Josée Verner, and the Commissioner of Official Languages, Graham Fraser, be invited to appear before the Standing Committee on Official Languages as part of the committee's study on the 2010 Olympic and Paralympic Games in Vancouver, to ensure that the games will be taking place properly in both of Canada's official languages, in order to respect the rights of Canadians.

Mr. Coderre, Mr. Lebel and Mr. Petit wish to make some remarks. If anyone wishes to speak, please indicate that to the clerk or to me.

Mr. Coderre, we will now hear your comments on Mr. Godin's first motion.

Hon. Denis Coderre: Mr. Chair, I'm in full agreement with the motion. However, I would add a few things, since I myself played a role in various Olympic Games and the Canada Games, prior to 2003. I did not work at the games held in Bathurst, but I did work on their funding. I think that it is essential, because the suggestion is going to be put to you that the Secretary of State for Sports, Helena Guergis, also be present.

Since this activity is sponsored by the Canadian Olympic Committee and I had an agreement signed between that committee and the Canadian government, it's essential for current ministers to be able to implement these previously signed agreements or ensure their implementation.

I don't know whether my colleague would agree to a friendly amendment, but in order to leave no stone unturned, I think it is preferable to also call those two individuals. That way, the government can perhaps decide... I think that the Department of Canadian Heritage will be somewhat evasive, but by providing a framework for the governmental machine, we will cover all the angles and be sure to have an official present. Then, if the government does not provide an adequate response, it will have to answer for its actions.

With your permission, Yvon, we could add the Secretary of State (Sport) and the President of the Canadian Olympic Committee. As for the spirit and substance of the motion, I'm in full agreement with you, and the Liberals will vote in favour of this motion. I move then that we make a friendly amendment. Otherwise, I will make an amendment while respecting the spirit of the motion.

The Chair: Is the mover of the motion in agreement with this friendly amendment?

Mr. Godin, indicate only whether you are in agreement, yes or no.

Mr. Yvon Godin: I never answer with yes or no. I don't like that.

I think that this amendment is a good idea. I didn't want to leave those people out, but I wanted to start by calling the ones I named in my motion. We have two years to prepare for this, but it's going to be here before we know it, particularly starting now. The clock is ticking and we want to be ready.

I think it's extremely important to also hear from the Secretary of State (Sport). For that reason, I am prepared to accept a friendly amendment.

•(1025)

The Chair: So, you are in favour of adding to the motion, as presented, the Secretary...

Mr. Denis Lebel (Roberval—Lac-Saint-Jean, CPC): I want to make a correction. I am waiting for my turn to speak.

The Chair: ... of State (Sport) and the President of the Canadian Olympic Committee.

Does the committee agree to add those two names? Agreed.

We will hear comments on the new motion.

Mr. Lebel, we are listening.

Mr. Daniel Petit: Are we talking about the amendment? Is that what we're doing?

Mr. Denis Lebel: Thank you, Mr. Chair.

This needs to be verified, but I think that Mr. Furlong is not the president, but rather the director general.

The Chair: He would be the director general rather than the President of the Canadian Olympic Committee.

Mr. Denis Lebel: I think he is not the president. To my knowledge, he works in operations. This will need to be verified.

Hon. Denis Coderre: He is the executive director. Jack Poole is the president. In any case, that isn't mentioned in the motion. He was explaining the motion.

Mr. Denis Lebel: I just want to clarify things for everyone. Mr. Furlong is not president, but rather the director general of operations.

Then, the Minister for the Pacific Gateway and the Vancouver-Whistler Olympics is David Emerson. If we are talking about the Vancouver Olympic Games, Ms. Guergis is not the person who should appear. It should be Mr. Emerson and Ms. Verner.

Mr. David Emerson is the minister responsible...

Mr. Yvon Godin: ... and Ms. Verner.

Mr. Denis Lebel: ... and Ms. Verner, if we want to clarify things.

If we want to invite the minister responsible for the Vancouver-Whistler Olympics specifically in this context, we're talking about David Emerson. For the Department of Canadian Heritage, it's Ms. Verner. If we want to invite people, they are the ones who should come.

I also want to remind members of the broadcasting rights. Mr. Coderre is very knowledgeable about this subject. When the IOC awards the Olympic Games, the framework with regard to communications, media and broadcasting rights is already known.

The Chair: I want to clarify your first point. In the motion, are we talking about the president or the director general of the Canadian Olympic Committee?

Mr. Denis Lebel: Mr. Chair, the organizing committee ensures that the Olympic Games are bilingual. Witnesses came to tell us about the work that had already been done to date, and it seems that these Olympic Games will be the most bilingual in the history of our country.

We want to invite the politicians responsible. However, I think it is not appropriate to mix representatives of the Canadian Olympic Committee, which manages the athletes, with the political sphere.

The Chair: That seems to be the intent of the mover of the motion.

If I have understood correctly, you are proposing to amend Mr. Godin's motion.

Mr. Denis Lebel: I am proposing that we invite Minister Emerson, because he is the minister responsible for the Olympic Games, as well as Minister Verner.

The Chair: We would invite these individuals rather than Ms. Guergis. So, this would be an amendment. Otherwise, you could make a formal amendment.

Mr. Godin, Mr. Petit is proposing amending the original motion by replacing Ms. Guergis with the minister responsible for the Olympic Games, who is Mr. Emerson.

Mr. Roger Gaudet: Mr. Chair, why not invite them both?

It is extremely important that the Secretary of State (Sport) appear. Even if Mr. Emerson is responsible for the Olympic Games.

The Chair: I just want to ask Mr. Godin whether...

Mr. Yvon Godin: I would like to have them both appear, because the only reason that Mr. Emerson is responsible is because the Olympic Games will take place in Vancouver.

However, if our minister for sports is involved in this issue, she will have to understand right off the bat that across Canada, both official languages need to be respected.

Mr. Pierre Lemieux (Glengarry—Prescott—Russell, CPC): That is not right, because Minister Emerson is responsible for the Olympic Games.

The Chair: One moment, Mr. Lemieux, we will continue with Mr. Lebel.

Mr. Denis Lebel: Sports is one thing, but we're talking about the official languages and the Olympics. So, Mr. Emerson and Ms. Verner are both responsible.

The Chair: In that case, you could move an amendment.

I understand that Mr. Godin would be prepared to add Mr. Emerson without striking out Ms. Guergis, but if that is not your intention, you could move an amendment to replace Ms....

Mr. Denis Lebel: I move that we call Mr. Emerson, as the government representative responsible for the Olympic Games, and Ms. Verner, for the portion concerning Heritage Canada. I would only invite those two individuals from the government.

The Chair: The motion also refers to the president of the COC. Do you want to strike his name? The motion as amended...

Mr. Denis Lebel: I would invite only those two individuals.

The Chair: Are you making an amendment?

•(1030)

Mr. Denis Lebel: Yes.

The Chair: Mr. Lebel's amendment seeks to invite the Minister of Canadian Heritage and the Minister responsible for the Olympic Games, who is Mr. Emerson.

Mr. Yvon Godin: I would be prepared to support that amendment. Then, we could invite the Commissioner of Official Languages.

The Chair: Several things need to be considered.

Hon. Denis Coderre: Mr. Chair, point of order.

There are two steps. I'm prepared to accept to have Mr. Emerson and Ms. Verner appear before us because we want to ensure that this matter is resolved. However, Mr. Lebel, with all due respect, you are talking to a former minister responsible for sports. That minister is responsible for everything related to...

The Chair: Mr. Coderre, I invite you to address your remarks to the Chair.

Hon. Denis Coderre: The Minister for Sports ensures that everything related to sports in Canada is essential and important, even during the Olympic Games. If there is concern for the official languages, it is not solely due to the fact that the Games are international, but to take into consideration agreements that I reached with the Canadian Sports Federations which are represented and the agreement signed by the Canadian Olympic Committee and the organizing committee for the Games.

Perhaps we are saying the same thing. I know that you want to protect someone. I fully agree with the motion mentioning Mr. Emerson, but be aware that this is a beginning and that, subsequent to this motion, there will be other more in-depth ones.

The Chair: Mr. Coderre, that is not a point of order.

I would also remind you that it's important to address your remarks to the Chair in the future.

Mr. Denis Lebel: Mr. Chair, may I at least suggest that you tell Mr. Coderre what you need to tell him? If we want to criticize sports in Canada, that's one thing, but Mr. Godin's motion which is before the committee refers to the official languages at the Olympic Games. That is what the motion is about.

The Chair: If I understand correctly, the motion has changed. We agreed to call the Minister of Canadian Heritage and the Minister responsible for the Olympic Games, Mr. Emerson before the committee. I want to check where we stand to make sure that we are all talking about the same motion. The motion seeks to invite Mr. Emerson and Ms. Verner. Is that correct?

Mr. Yvon Godin: And the Commissioner of Official Languages.

The Chair: Right. Are we also going to invite the President of the Canadian Olympic Committee? For the moment, we are keeping the three others. Mr. Lebel, this is not an amendment, it is a proposal seeking to call the Minister of Canadian Heritage, the Minister of International Trade responsible for the Vancouver-Whistler Olympic Games, as well as the Commissioner of Official Languages.

On that note, I will open the floor to other speakers.

Mr. Petit.

Mr. Daniel Petit: Thank you.

Mr. Godin, your motion reads as follows:

[...] to ensure that the Games will be taking place properly in both of Canada's official languages, in order to respect the rights of Canadians.

What is the real reason we are calling these witnesses? It is not to get an inventory of the place, but rather to ensure that the official languages will be respected. I'm trying to understand the intent of your motion. In French, you say "de façon à respecter les droits". Should it not read "faire respecter" instead? Mr. Godin, this is important. I'm trying to follow you.

Mr. Yvon Godin: I'm not contradicting you: I'm simply shrugging. I want merely to ensure that the official languages are respected and that both languages will be used. If you have a better way to say this, I am open to suggestions.

Mr. Daniel Petit: In English, you use another term. You say "in order to respect".

•(1035)

Mr. Yvon Godin: Yes, we want to ensure that the official languages are respected.

Mr. Daniel Petit: "Faire respecter" that's what you want? Okay. That's fine. I asked for an explanation and I got it.

The Chair: Does this change the wording of the motion?

Mr. Daniel Petit: No.

The Chair: Mr. Chong does not wish to speak.

The parliamentary secretary.

Mr. Pierre Lemieux: Thank you. I want to ask Mr. Godin a question.

Why would we ask the Commissioner of Official Languages to appear before our committee with regard to the Olympic Games? He has publicly said that he had concerns about this issue. We know therefore that he has concerns, as do we. That is why we are inviting both ministers. I don't understand why we would ask the commissioner to come back and repeat all that and why we would share our own concerns with him when these facts have already been established.

The Chair: Mr. Godin.

Mr. Yvon Godin: Mr. Chair, the commissioner is an officer of Parliament. So, if he has concerns, I want to hear them. Perhaps you are already satisfied, Mr. Lemieux, but, personally, I want to know what the commissioner thinks, whether he is conducting a study, preparing things in advance and making recommendations. We can ask the commissioner all kinds of questions. I cannot tell you which questions to ask him, but there are some that I would like to ask and that other members of the committee would also like to ask, I think. I don't want to see a repeat of what happened with the Canada Winter Games in Bathurst-Campbellton. We have the opportunity to get a head start. It is about being prepared.

The Chair: Everyone who wanted to speak on the motion has done so.

Mr. Petit.

Mr. Daniel Petit: I want to ask Mr. Godin a question.

If we hear from these two or three individuals, how do you see our work unfolding? I would first like to hear from Mr. Fraser and then from the ministers, and not the opposite. Based on my understanding, that is what your motion states. You want to know what is happening, so you first want to talk to Mr. Fraser, correct?

Mr. Yvon Godin: Absolutely not, Mr. Chair. We can start with any of the witnesses, it does not matter. Be it Mr. Fraser or the ministers, does not change much. We are not inviting them to criticize each other. That is not the point. We want to know what is happening and what should be done. That is all.

The Chair: Thank you, Mr. Petit.

If there are no other comments, we will move on to the...

Mr. Yvon Godin: If Mr. Fraser is available next Tuesday and the minister is available next Thursday, we are not going to start fighting to find out who is going to appear first. It is not a race.

The Chair: In any case, people are always eager to appear before our committee.

We will put the question. Who is in favour of Mr. Godin's motion to call the Minister of Canadian Heritage, the Commissioner of Official Languages and the minister responsible for the Olympic Games?

(Motion agreed to)

The Chair: Thank you.

We will now move on to Mr. Godin's second motion.

Mr. Yvon Godin: Thank you, Mr. Chair.

There is a francophone community radio station in Victoria. The CRTC has granted a licence to *Salt Spring Island Radio Corp.*, which is an anglophone station. The francophone radio station in Victoria has complained that the anglophone station has a very strong frequency, which is causing interference. And the franco-phone station is asking the CRTC to change its frequency to avoid this interference, but it seems that the CRTC has watched its hands of the matter.

I want the CRTC to come and explain to us why it has not responded to the station. I think that this is unfortunate, because it could simply change the frequency.

The Chair: I would like a clarification. Let's say that the francophone community radio station is at 103.9 frequency. Is the anglophone radio station also at 103.9?

Mr. Yvon Godin: No, I do not think so, but it is close, say 103.7. I am not an expert. That is why I want to invite the CRTC here. Once we have heard from the CRTC, perhaps we can invite the community radio station to come and explain the problem to us.

The Chair: We will now go to questions and comments on the motion.

Mr. Chong.

[*English*]

Hon. Michael Chong: Thank you.

I don't have a problem with calling the CRTC in front of the committee to discuss interference between the two stations, but I do have a problem with the wording of this. It seems to be blaming one station versus the other. But we're not the technical experts. We have no idea what is causing the interference. It could be that the French language station has boosted its transmission capacity beyond what it's authorized to do. It could be because somebody has put a transmitter in the wrong spot. I mean, who knows what the reason is?

I'm proposing that we reword this slightly so that we're not trying to pin the blame on one station or the other when we don't know what the reason is. However we can word it, I think that's something that would be better. Right now we're assuming that the English language station is causing the interference. We don't know that. You and I are not the technical experts on this.

So I propose that we word it in such a way that it's more neutral—for instance, we call the CRTC in front of the committee to review their decision because of—

● (1040)

Mr. Yvon Godin: Interference between the two stations.

Hon. Michael Chong: Yes. The two radio stations are interfering with each other, something like that.

Mr. Yvon Godin: I have no problem with that. I was not trying to—

Hon. Michael Chong: Otherwise these things have a way of morphing into something much bigger—i.e., if we're trying to pin it on one or the other without having all the facts—as we well know on this committee.

[*Translation*]

The Chair: I understand that the motion is to be amended to talk about interference between the two stations.

Mr. Yvon Godin: Mr. Chair, for the record, I am not trying to blame anyone. The francophone community has complained about interference with its station. I have not received a complaint from the anglophone station. We want to know where the transmitter is. Why is the CRTC not getting involved and finding a solution?

The Chair: Are you in agreement?

The motion talks about calling the CRTC to appear in order to clarify the interference problems between the two stations.

There are other comments.

Mr. Rodriguez.

Mr. Pablo Rodriguez: We could make this change and put the motion on hold. Mr. Chair, you yourself said so, the Canadian Coast Guard and the CBC are supposed to come before this committee. Furthermore, we are talking about the Olympic Games and major issues. There will be very few meetings over the coming weeks. This is an important issue, but there could be a preliminary stage of writing a letter on behalf the committee to request an explanation. If that explanation is not satisfactory or we see that no solution has been implemented, we can then officially move the motion and invite the CRTC.

The Chair: So, you propose writing a letter to the CRTC.

Mr. Pablo Rodriguez: I propose that you write a letter on behalf of the committee.

The Chair: To enlighten us on the situation.

Mr. Pablo Rodriguez: I would add this preliminary step because I would not want to spend one or two hours on this issue.

Mr. Yvon Godin: Mr. Chair, I am prepared to support what Mr. Rodriguez has just said. However, I would spend two hours to ensure that a francophone community can make full use of the only francophone station in Victoria.

It is important for a francophone community outside Quebec to have us deal with this issue, because it is the only francophone station in Victoria.

The Chair: If you agree to proceed as proposed, I would ask you to provide me with information so that the letter can be drafted.

Mr. Rodriguez, have you finished?

Mr. Pablo Rodriguez: I want to tell Mr. Godin that the vitality of the francophone community in British Columbia is as important to me. He is well aware of this. However, in my opinion, this is a very useful step.

The Chair: Our hearing is public and this will be recorded in the minutes, Mr. Rodriguez, have no fear.

Mr. Coderre.

Hon. Denis Coderre: I saw that curve coming, to use a popular expression by my friend Mr. Godin. When Pablo said that he did not want to spend two hours on this issue, that had nothing to do with... We all believe in the importance of francophone communities throughout the country. For practical reasons, we are simply trying to obtain answers first in order to then hit harder. I don't want to start a debate. Furthermore, Pablo has said that this matter is just as important than any other, but there are things we can do first. So, we are all saying the same thing. Since this meeting is public, I wanted this to be on the record.

•(1045)

The Chair: Duly noted, Mr. Coderre.

Any other comments?

Mr. Yvon Godin: Mr. Chair, with regard to the little curve ball from Mr. Coderre that I know so well, Pablo is capable of defending himself. I agree to first sending a letter. It is simply that the comment regarding the fact that he would not spend two hours discussing this

matter had an impact on me as francophone from a region of Canada that is not mostly francophone. We agree on that note and we will watch out for our communities.

The Chair: Mr. Godin, for procedural purposes, your motion would ask the chair to inquire with the CRTC regarding the situation concerning the two radio stations and the granting of a licence that seems to have caused interference. Do you agree with this wording? We are writing a letter to the CRTC.

Mr. Lebel.

Mr. Yvon Godin: The motion should also mention that the letter be approved by the committee.

Mr. Denis Lebel: Mr. Chair, it is not a language issue, it is a broadcasting issue. Broadcasting is interfering with language. So, we need to ensure that we speak the right language to ensure proper broadcasting. Make sure that the answer refers to broadcasting, because it is a broadcasting issue. It is very important to respect language.

The Chair: Do you have a comment, Mr. Nadeau?

If there are no other comments, we will adjourn the meeting until next Thursday.

I forgot Mr. Petit. He wants to ask a question.

Mr. Daniel Petit: I suggested that we invite a witness for Thursday, May 8th, but I have been told that he is not available. I want to tell you why I am extremely disappointed. That witness is a federal public servant. Mr. Godin and I have already questioned him. Mr. Godin came to the Standing Committee on Justice to replace Mr. Comartin, his colleague, and had the opportunity to see what needs to be done in order to obtain access to justice of both official languages.

It is not just a matter of ensuring that judges are bilingual: it is essential that appearances and evidences also be translated into English and French. We are talking here about respecting the fundamental right of an individual who is called before the court. Mr. Godin and I had questioned that public servant with regard to Bill C-23, I believe. I gathered up all that testimony and I was expecting this witness to be here. Access to justice does not just mean a bilingual judge. For someone from New Brunswick or Quebec who belongs to the linguistic minority, it is about ensuring the simultaneous translation of procedure and evidence into that person's mother tongue so that he or she is able to defend themselves.

Witnesses who will be there will not be able answer questions about this, I am telling you. That is why I am somewhat disappointed. Next Thursday, we might end-up going in circles, not getting to the bottom of the problem and not being able to suggest appropriate measures to the government concerning individuals who must have access to justice. It is not about money. It is also about language. I do not understand why this witness, whose name I mentioned three weeks or even two months ago, cannot appear before us. I do not think that is right.

The Chair: Mr. Petit, I will simply tell you that the witnesses are called depending on their availability. We will still be hearing from the Commissioner of Official Languages and Ms. Aucoin, from the Fédération des associations de juristes d'expression française, as well as from Mr. Doucet. Those three witnesses will surely take up

the two hours we have available on Thursday. If the committee feels it is necessary to call other witnesses, it will do so.

Thank you for your cooperation and we will see you on Thursday.

The meeting is adjourned.

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