

**Follow-up Responses to the Standing Committee on Official Languages (LANG)  
President of the Treasury Board, January 28, 2021**

- 1. List of government adjustments/interventions/measure taken to address COVID-19 challenges to the Government's ability to deliver information in both official languages.**

**Committee transcript, including the follow-up request**

**Hon. Steven Blaney (Bellechasse—Les Etchemins—Lévis, CPC):**

*Thank you very much, Mr. Chair. I will try to share my time.*

*First, I would like to welcome Minister Duclos to the Standing Committee on Official Languages and to remind him that the purpose of his being here today is about the Canadian government's lack of response in terms of official languages during the pandemic.*

*Mr. Minister, I'm not sure who prepared you for your presentation, but I wish you could have arrived in solution mode. All the witnesses we have heard so far have told us that the federal response to the pandemic in terms of official languages is a mess, and the Commissioner has reminded us that it is a safety issue.*

*Take, for example, my sister, who lives in Ontario. It is important for her to have access to information in French in an emergency situation, since it is her first language.*

*Mr. Minister, do you recognize that Canadian bilingualism is a safety issue and that it is even more important in a crisis situation such as the one we are experiencing?*

**Hon. Jean-Yves Duclos (President of the Treasury Board):**

*My dear Mr. Blaney, the answer is yes. As you so rightly said, it is a safety issue.*

*As you also implicitly suggested, when people do not have access to the information they need to protect themselves and their loved ones, it is not only safety in a collective sense, but individual safety that is at stake.*

**Hon. Steven Blaney:**

*Thank you, Mr. Minister. We want to prepare a report with recommendations. For our analysts, could you provide us with more information on the adjustments and tell us what the response was? You mentioned that you have taken action, but it would be helpful to have more data. In any case, if it is possible, in order for us to produce a detailed report, could you share with the committee the measures taken by the Government of Canada?*

*We know that the health representative was speaking only in English; it was a mess and there was some labelling. A series of measures have led to minority language citizens being treated as second-class citizens.*

*Mr. Minister, before giving the floor to my colleague, I want to come back to public servants. An investigation by the Commissioner of Official Languages, to which you referred, also points to...*

## **Response**

Respecting official languages not only continues to be a priority for the Government of Canada but is also integral to the effectiveness of our response to the pandemic. The Government must communicate with and provide information and services to Canadians in both official languages in order to ensure their safety and protect their health, and we must also ensure that the use of official languages is maintained in federal workplaces.

When issues were brought to their attention, TBS officials responded swiftly to remind federal institutions of their obligations under the *Official Languages Act* with respect to communications to Canadians and to public servants. For example, an online [remote working toolkit](#) was created to help public servants navigate the difficult environment created by virtual work. The President of the Treasury Board and the Chief Human Resources Officer wrote to their respective counterparts to remind them of the need to be attentive to this issue, calling on them to make sure that communications with the public and with public servants are in both official languages, and of equal quality in English and French.

TBS officials continue to work closely with federal partners to build on the lessons of the pandemic, and better respond to the needs of Canadians and public service employees in these unprecedented times.

Treasury Board of Canada Secretariat (TBS) officials have, and are, continuing to take measures to ensure official languages obligations are respected. More specifically:

- A question was added to the Management Accountability Framework (MAF) to better identify the measures taken by institutions and to detect issues that have arisen.
- Three questions related to official languages and the pandemic have been included in the 2020 Public Service Employee Survey.
- Questions on the measures taken by institutions in relation to official languages during the pandemic have been included for reporting purposes in the next official languages annual review exercise.

These efforts will provide us with useful information that will guide the government's future actions.

## **2. List of federal institutions that are subject to the *Official Languages Act*.**

### **Committee transcript, including the follow-up request**

**Mr. Alexandre Boulerice (Rosemont – La Petite-Patrie, NDP) :**

*Thank you, Mr. Minister. I have one last question for you.*

*The Access to Information Act applies to 240 federal institutions, including 82 departments and nearly 160 Crown corporations. Can you send the Standing Committee on Official Languages a list of federal institutions subject to the Official Languages Act, by March?*

**Hon. Jean-Yves Duclos:**

*That's a very good question. I will work with my team to make sure I give you the most helpful and accurate answer possible. You need a good answer, because you do important work on the committee.*

**Mr. Alexandre Boulerice:** *Thank you.*

## **Response**

As requested, please find attached a list of federal institutions subject to the *Official Languages Act* (OLA). For your information, subsection 3(1) of the OLA defines a federal institution within the meaning of the Act. According to that definition, a “federal institution” includes any of the following institutions of the Parliament or Government of Canada:

- a) the Senate
- b) the House of Commons
- c) the Library of Parliament
- d) the office of the Senate Ethics Officer and the office of the Conflict of Interest and Ethics Commissioner
- e) the Parliamentary Protective Service
- f) the office of the Parliamentary Budget Officer
- g) any federal court
- h) any board, commission or council, or other body or office, established to perform a governmental function by or pursuant to an Act of Parliament or by or under the authority of the Governor in Council
- i) a department of the Government of Canada
- j) a Crown corporation established by or pursuant to an Act of Parliament, and
- k) any other body that is specified by an Act of Parliament to be an agent of Her Majesty in right of Canada or to be subject to the direction of the Governor in Council or a minister of the Crown.

Whether or not a body is subject to the *Official Languages Act* is a matter of legal and statutory interpretation. Unlike the *Financial Administration Act*, the OLA does not provide a comprehensive list of entities that are considered federal institutions under the Act. Therefore, some entities are subject to the OLA, in its entirety or in part, under their enabling statute (e.g. the *Air Canada Public Participation Act*, the *Airport Transfer (Miscellaneous Matters) Act*, the *CN Commercialization Act*, etc.). This means that the application field of official languages policy instruments is broader than that of other Treasury Board policy instruments.