

GENERAL ADMINISTRATION MANUAL

VOLUME 1: CORPORATE POLICIES - GENERAL

TITLE: FRENCH LANGUAGE POLICY

EFFECTIVE: 94 05 12 (REVISED 2012 12 11)

1 SCOPE

1.1 Authority

1.1.1 This policy is issued under authority of Cabinet meeting No. 94-21, dated May 12, 1994 and amended under the authority of Deputy Ministers' Review Committee (DMRC) on December 14, 2010, September 20, 2011 and December 11, 2012.

1.2 Application

1.2.1 This policy applies to institutions of the Government of Yukon including all departments, the Yukon Liquor Corporation, the Workers' Compensation Health and Safety Board, the Yukon Housing Corporation, the Yukon Development Corporation, as well as statutory boards and tribunals performing governmental functions, such as the Motor Transport Board, the Assessment Appeal Boards, the Yukon Water Board and other institutions that may be prescribed through legislation.

1.3 Purpose and Principles

1.3.1 In accordance with the *Languages Act*, the Government of Yukon is committed to extending the recognition of French and to ensuring any member of the public who wishes to communicate with any government department, agency or institution can do so in either English or French and can receive government services in the French language from head or central offices and from other offices.

1.3.2 In keeping with this commitment, the following principles are to govern the provision of French language services within the Government of Yukon:

1.3.2.1 Recognition of French:

The Government of Yukon wishes to extend the recognition of French and to provide services in that language.

This means the measures in the *Languages Act* promoting and providing for the use of French are rights to which members of the public are legally entitled. The Act commits the Government of Yukon to providing public services in French where those services are already available in English. Notwithstanding these commitments, the administrative language of work in the Yukon public service is English.

1.3.2.2 Guaranteed Services in French:

Any member of the public in the Yukon has the right to communicate with, and receive, available services in English or French from any head or central office of an institution of the Government of Yukon.

This means there is an unqualified right for the public to communicate with and receive available services in English or French from any head or central office of a government institution. The head or central offices are located in Whitehorse.

1.3.2.3 Other Services in French:

Any member of the public in the Yukon has the right to communicate with, and to receive available services from, any head or central office of an institution of the Legislative Assembly or of the Government of Yukon in English or French, and has the same right with respect to any other office of any such institution where there is significant demand, or where, due to the nature of the office, it is reasonable that communications with, and services from, that office be in both English and French.

This means there are qualified rights to communicate with, and receive services from, other offices of institutions of the government or the Legislature. Such offices are located in Whitehorse and rural communities.

1.3.2.4 Partners in the Identification of Service Needs:

The French-speaking community will be consulted on an ongoing basis with respect to its needs and priorities for the provision of government services in French. This consultation process will form the basis for identifying the French language services that will be available from head, central and other offices of the government.

This means the Francophone community is acknowledged as the target clientele for French language services and as partners with government in giving practical expression to the requirements of the *Languages Act*. There will be consultation and dialogue with them on a priority basis, primarily through representative community organizations and the Advisory Committee on French Language Services.

1.3.2.5 Service Priorities:

The French language services implemented must be practical, responding to real needs of the French-speaking community; usable, by being known, accessible and consistently maintained; and of comparable quality to services available in English.

In order to avoid waste and to enable effective use of French language services by the public, priorities will be based on a practical, quality services and a cost-effective approach developed in cooperation with the French-speaking community. Any services established must be clearly promoted as being available to the potential user.

1.3.2.6 Consultation on Implementation:

External and internal stakeholders, including representatives of the French-speaking community, employee unions and associations, and departmental management, will be consulted as appropriate in the design and implementation of French language services.

This means key stakeholders will have input into planning and implementation activities through communication and consultation processes.

1.3.2.7 Quality Services:

Service quality is as important as the range of services offered. In order to evaluate the variety of services offered as well as their quality, the following measures will be used:

(a) qualitative results will be achieved through such measures as the identification of services to be delivered, progress in implementing quality versus quantity services, and an assessment of the extent to which these services are provided in a manner that meets the needs and priorities of the French-speaking language community;

(b) quantitative results will be measured through monitoring the implementation of approved actions and services and the relevant statutory time-frames established by the *Languages Act*.

1.3.2.8 Use of French in the Courts:

Either English or French may be used by any person in, or in any pleading in or process issuing from, any court established by the Legislative Assembly.

This means that anyone can use English or French in speech and in writing in the proceedings of any Yukon court, which includes the Supreme Court, the Territorial Court, and the Small Claims Court. The intent is to accommodate French-speaking people in the courts.

1.3.2.9 Personnel and Employment Practices:

Participation in the implementation of French language services will provide employees with learning and job enrichment opportunities. Employees will be treated equitably and fairly and the implementation of services will not compromise employee rights or job security.

This means that the implementation of French language services will enhance both service delivery to the Yukon public and create new employment and training opportunities for public servants.

1.3.2.10 Legislation in English and French:

Acts of the Legislative Assembly and regulations made thereunder shall be printed and published in English and French, and both language versions are equally authoritative.

This means that the laws of the territory must be written, adopted and published in English and French. In practice, the Legislative Assembly must adopt both the English and French versions of legislation and the Cabinet must adopt regulations in both languages.

This section does not imply that other records or journals or documents of the Legislature, such as the Yukon Hansard, must be available in English and French.

1.3.2.11 Financial Responsibility:

The Government of Canada is responsible for all costs incurred in developing, enhancing and implementing French language rights and services in the Yukon required by the enactment of the *Languages Act*.

This means the federal government is responsible for funding, on an ongoing basis, all additional costs incurred by the Government of Yukon for implementation of French language services.

1.3.2.12 Annual Report:

A report on French Language Services will be published annually by the French Language Services Directorate, reviewing progress and results of the government's activities and initiatives under the *Languages Act*.

The report will provide information and contribute to public awareness and understanding of government accomplishments and the role of both the federal and territorial governments.

1.4 Background

The *Languages Act*, which was fully in force as of December 31, 1992, establishes the Government of Yukon's legal requirements with respect to the provision of service to the public in the French language.

2 ROLES AND RESPONSIBILITIES

2.1 Cabinet determines the objectives of the government's French Language Program and approves policies related to the implementation of French language services.

2.2 The Minister responsible for the French Language Services is the member of Cabinet named as the Minister responsible for the French Language Services Directorate, pursuant to the *Government Organization Act*.

2.3 The French Language Services Directorate:

- * Develops government-wide policies and implementation strategies;
- * Coordinates overall planning and implementation of services in French on a government-wide basis;
- * Officially represents the government in matters related to the *Languages Act* and French language services;
- * Negotiates and manages the funding agreement with Canada;
- * Develops and recommends strategy, policies and priorities for the implementation of services in French;
- * Provides planning assistance, information and support to institutions implementing the *Languages Act* and services in French;
- * Monitors and prepares progress and annual reports on the implementation of services in French;
- * Provides central translation and revision support services for the institutions of government;
- * Plans and carries out research and consultation activities to ensure that the government is fully informed of the needs and priorities of the French language community.

2.4 Advisory Committee on French Language Services:

- * Advises the Minister Responsible for the French Language Services Directorate on any matter related to the implementation of government services in French pursuant to the *Languages Act*;
- * Consists of nine members appointed by Cabinet including two representatives of the Francophone community (Association franco-yukonnaise), one representative from the Commission scolaire francophone du Yukon (CSFY), one representative from the Francophone community at large, one representative of the Yukon Employees Union, and four Deputy Ministers or Presidents, one of which is the Deputy Minister of Education.

2.5 DMRC Sub-committee on French Language Services:

- * Identifies/reviews strategic opportunities and actions to address the provision of French language services;
- * Makes recommendations to Deputy Ministers' Review Committee (DMRC) on matters related to the provision of French language services as required;
- * Advises the Director of French Language Services Directorate on matters requiring decisions by the Minister responsible for the French Language Services Directorate, Cabinet and/or Management Board;

- * Reviews matters and proposed actions to be considered by, or arising from, the Advisory Committee on French Language Services.

2.6 Deputy Ministers and Presidents:

- * Ensure the development and implementation of departmental action plans for the provision of services in French in accordance with the *Languages Act* and this policy.

2.7 The Department of Justice:

- * Ensures the preparation and publication in English and French of acts and regulations enacted by the Yukon Legislature and Cabinet respectively;
- * Ensures that either English or French may be used by any person in, or in any pleading in or process issuing from, any court established by the Yukon Legislative Assembly.

2.8 The Public Service Commission:

- * Develops and implements personnel policies respecting the implementation of French language services in conjunction with departments and agencies;
- * Assists departments and corporations in the assessment of linguistic upgrading training needs, ensures the provision of appropriate language training, and coordinates and evaluates offerings to the Yukon public service;
- * Provides central French language training and French language competency evaluation (or testing).