

Government Plan on Official Languages

Official Bilingualism – A Strength

2011 – 2013

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2011 – 2013**

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Reach higher and go further

One step closer to the equality of the official language communities.

Our province already stands out within the Canadian Confederation and in the world for its originality, determination and official languages objectives.

We are the only officially bilingual province in Canada. On a global scale, we set an example for managing diversity and for promoting harmony among our communities.

Since the *Official Languages Act* was passed in 1969, enshrined in the *Canadian Charter of Rights and Freedoms* and entrenched in the Constitution in 1982, the governments that preceded us have worked hard to achieve equality between the Anglophone and Francophone communities and to promote a bilingual and harmonious environment. The issue of official languages has always received support in the Legislative Assembly of New Brunswick and is a point of public pride.

By adopting the 2011-2013 Government Plan on Official Languages, we are acknowledging, on one hand, the enormous progress that has been made to date and on the other, our desire to reduce the gap that remains between the expected outcomes and our current reality. We urge everyone to follow and further pursue our vision of the equality of our two linguistic communities.

This collaborative and co-ordinated action by departments and agencies of the government will position us to better address the needs of New Brunswick's two linguistic communities.



Premier

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Introduction

In April 2009, the *Official Languages Act* turned 40. Considerable progress has been made in the past 40 years, but government recognizes that there is still a lot to be done in the area of official languages.

A Coordinating Committee on Official Languages was established and tasked with the responsibility to coordinate all government activities involving official languages and to put together a plan to implement the *Official Languages Act*.

The Government Plan developed by the Coordinating Committee covers the period from 2011 to 2013 and involves departments and agencies in the preparation of action plans. This implementation plan not only identifies the measures needed for the departments and agencies to meet their obligations under the Act, but also suggests positive action for the development of our linguistic communities.

It should be stressed from the outset that the Plan is intended for government departments and agencies and involves the employees of Part 1 of the provincial public service.

The critical path that led to the development of the Plan started by taking stock of the current situation within government. This permitted the Committee to set strategic objectives and determine what needed to be done in the next two years to ensure compliance with existing official languages legislation. This in turn will enable us to work toward achieving real equality of our two linguistic communities.

The Plan on Official Languages is an important tool for the next evaluation and review of the *Official Languages Act* and illustrates the government's commitment towards official bilingualism.

The government has already reiterated this commitment by establishing a non-partisan select committee of the Legislative Assembly to conduct an examination and consultation of the *Official Languages Act*, and by creating an Interdepartmental Working Group to support the committee in its mandate. The process of review will include consultations with stakeholders and the public to ensure that each and every citizen of New Brunswick has the opportunity to be heard.

A process for the revision of the *Official Languages Act* must be put in place by the end of 2012. The Plan on Official Languages and the action plans will allow the government to clearly follow the progress made with respect to official languages, better target its actions, provide more effective follow-up, and be equipped for the review of the Act.

Background on official languages in New Brunswick

The first *Official Languages of New Brunswick Act* was proclaimed on April 18, 1969. The Act states that English and French are the two official languages of New Brunswick and recognizes the fundamental right of New Brunswickers to receive provincial government services in the official language of their choice.

On July 17, 1981, the Legislative Assembly adopted *An Act Recognizing the Equality of the Two Official Linguistic Communities in New Brunswick* (Bill 88). This new Act affirmed, among other things, the equality of status and equal rights and privileges of the two linguistic communities. It also gives both communities the right to distinct institutions within which cultural, educational and social activities could take place. And finally, it promotes the cultural, economic, educational and social development of both communities.

Recognition of the equality of the two official languages of New Brunswick and their equal status and privilege were reinforced in 1982 through their enshrinement in the *Canadian Charter of Rights and Freedoms* in the Canadian Constitution; section 16 of the Charter entrenches official bilingualism for New Brunswick in the Constitution, making it the only officially bilingual province in the country.

In 1993, the Government of Canada amended the Charter with the inclusion of the fundamental principles of Bill 88. Section 16.1 affirms the equality of the English and French linguistic communities of New Brunswick and recognizes their right to distinct cultural and educational institutions necessary for their advancement. This section of the Charter also confirms the obligation of the New Brunswick government to preserve and promote its two official linguistic communities.

In 2002, the Government of New Brunswick proceeded with a review of its *Official Languages Act*. The new *Official Languages Act* came into effect in August 2002. Its main objective was to align provincial official languages obligations with the rights recognized by the Charter. It also established a roadmap for implementing the obligations contained therein. The new act led to the establishment of the position of Commissioner of Official Languages. The first commissioner was appointed in 2003.

In April 2009, the *Official Languages Act* turned 40. The government used that important anniversary in the history of New Brunswick to set up the Coordinating Committee on Official Languages and tasked it with the responsibility to put together a government plan to implement the *Official Languages Act*. This Plan will be an important tool in the next evaluation and review of the Act.

A table of the province's history and the legal foundations of official languages is appended (Appendix 1).

Legal foundations

Legally speaking, the issue of official languages and the equality of the English and French linguistic communities of New Brunswick are based on provincial official languages legislation and the *Canadian Charter of Rights and Freedoms*, particularly sections 16 to 23.

- *Canadian Charter of Rights and Freedoms*, Part 1 of the *Constitution Act, 1982*, Government of Canada, assented to March 29, 1982. In 1993, the Charter was amended by the insertion of section 16.1, guaranteeing the equality of the English and French linguistic communities of New Brunswick;
- *Official Languages Act*, Chapter 0-0.5, Legislative Assembly of New Brunswick, assented to June 7, 2002;
- *An Act Recognizing the Equality of the Two Official Linguistic Communities in New Brunswick* (Bill 88), Chapter 0-1.1, Legislative Assembly of New Brunswick, assented to July 17, 1981.

Policy statement

By adopting the *Official Languages Act*, the New Brunswick government recognizes the importance of advancing the status of the official languages and confirms its commitment to implementing all the provisions that will enable it to achieve equality of use of the two official languages, as quickly as possible.

At the end of this process, the Government of New Brunswick wants to guarantee its employees the possibility to work in the official language of their choice, a commitment that also contains measures to promote bilingualism and to familiarize and educate employees about the Act.

Vision by sector of activity

The *Official Languages Act* of New Brunswick and the regulations and policies governing it lead us to examine four different sectors of activity under official languages and to formulate an anticipated outcome for each one.

1. **For language of service**
An active offer and services of equal quality in English and French, according to the person's choice, regardless of location in the province;
2. **For language of work**
The possibility for employees to work and have a career in English or French, according to their personal choice;
3. **For the promotion of official languages**
The promotion of bilingualism in New Brunswick and the encouragement, through positive measures, of the development of the province's Anglophone and Francophone communities;
4. **For knowledge of the *Official Languages Act***
A thorough knowledge and understanding of the Act, policies, and regulations as well as the province's official language obligations

Process

To give the Coordinating Committee a general idea of the official languages situation in departments and agencies and to provide it with the minimum tools to do its work, the Official Languages Branch of the Department of Intergovernmental Affairs (IGA) developed a questionnaire for those responsible for official languages in the departments and agencies, to facilitate discussion and to find out some basic information.

The IGA team held meetings with the representatives of each department in October and November 2009 to get their assessment of the situation. Pooling the results of the individual meetings provided some general findings and helped to identify areas of involvement. These findings contributed to the reflection and the discussions of the committee to initiate the process of developing the Plan.

1. Language of service

Departments and agencies do make an active offer of service in both official languages. Measures are in place so that the first contact with a member of the public is made in the language of the client's choice at reception desks, service wickets, and telephone extensions through direct client services. However, there are still some gaps, and there are instances in which the language of service policy is not fully applied.

As there is no systematic monitoring process for employees' greetings in person or on voice mail in all the departments, it is impossible to determine the staff's level of compliance with government policies in this regard.

Documents and resources are offered to the public in both official languages except for certain types of documents that the departments choose not to translate because of their urgency, nature, or complexity. Budgetary considerations and low demand from the public for documents in French are cited as additional reasons.

It should be noted that because of the provisions of the *Education Act* related to duality, both linguistic sectors of the Department of Education and the school districts, schools, and district education councils are exempt from the *Official Languages Act*. They function only in the language in which they are organized and are not required to work or provide services in the other official language.

The departments make a special effort to ensure that certain specialized services are offered or available in both languages, but for some specialties we were told there were no existing bilingual resources for hire. In such instances, these services are offered in English only. Some services are offered in only one language because the client groups to which these services are offered are few in number.

The departments recognize the obligation to provide documentation in both languages and regularly use the provincial translation services. However, internal (non-professional) translation is a common practice. Some offices indicated that they do not use the provincial translation services for documentation that is distributed internally. Several respondents said that the budgets provided for translation are insufficient.

In some cases, the English version of a document will be offered to the public first, with an indication that the French version will follow.

Several departments use subcontractors to provide direct services to the public, and it is recognized that the subcontractors must also comply with the language obligations under the Act. This does not mean that all subcontractors can provide services in both languages in all cases: the nature of the service and proximity to the public will be determining factors.

2. Language of work

The renewed language of work policy came into effect in April 2009, and the departments have not had much time to adopt it, although most have provided the relevant information and offered information sessions to their staff.

Some departments have already implemented procedures to deal with the issue of language of work in their work setting. These departments also reported that they already offer employees the possibility of working in the language of their choice.

Admittedly, in some situations, it can be difficult, if not impossible, for an employee to work in the language of his or her choice. Reasons cited include the nature of the duties (specialized work), a lack of resources, lack of computer software or programs in both languages, the urgent nature of the work required, or the department's internal culture. Therefore, some agencies or branches work entirely in one language.

We should once again mention the particular situation that prevails in the Department of Education and in departments with certain branches or institutions that offer services mainly to one particular linguistic community. In those departments, employees will work in one language or the other, depending on their branch's mandate. We have been told that, for those employees, it would be appreciated if they could continue to work in the language of their choice when they have to deal with central agencies or other departments.

We also note that the situation may vary depending on whether the employee works at central or a regional office.

Efforts made to communicate with staff in the two official languages may vary from one department to another. Several departments ensure that all communication with staff is in both languages, but others choose to communicate with certain groups of employees in one language only. Some departments apply the same policy to communications not directly work related.

Documentation is often translated internally, without quality control. There may be variations in practices, especially in relation to communications within a regional office. Sometimes a language is chosen for internal communication based on the composition of the staff.

The language of use in the department's normal activities at central office depends on the type of activity. Save for a few exceptions, meetings of senior officials in the departments and central agencies are held in English only. In staff meetings, the language or languages used will depend on the manager chairing the meeting, the composition of the team, or the region in which the meeting is taking place.

There is inconsistency in the language used in invitations to meetings, agendas, and presentations. Some meetings take place in French only, others in English only, and some are bilingual. Interpretation is rarely used, and the prohibitive cost is cited as the reason for this. The same is true of social activities organized in the departments.

It should be noted that the language of work policy applies to the Department of Education, but in view of duality in the school system, it does not apply to the divisions of the department organized on the basis of one official language or the other. The policy does not apply to schools or school district offices. It does apply to the Department of Post-Secondary Education, Training and Labour, but not to the community colleges, which are organized on the basis of one official language or the other.

3. Promotion of official languages

The departments were asked to comment on the internal promotion of official languages and in the exercise of their mandate to serve the public. Some questions had to do with the staff's language training, not only as a way to ensure the offer of services in both languages but also to make staff aware of the realities of the two linguistic communities.

Although they recognize the merits of language training, departments are hesitant to offer training on a large scale because of existing (or non-existent) budgetary resources. Many respondents indicated their dissatisfaction with current training programs, their prohibitive costs, and their lack of flexibility and effectiveness.

Departments that offer their employees language training mostly target those who offer a direct service to the public. Some departments are prepared to consider language training a part of the ongoing professional development of the employee (pay a portion of the costs; require that they take the course outside of working hours, etc.).

Some departments indicated that they organize activities to promote the official languages within the departments, such as "Francophone" days or outings "in French" at noon hours, which enable employees to socialize while using the other official language.

The departments are also asked to promote the two linguistic communities in carrying out their mandate and to implement measures that contribute to their development. However, there is currently no common government practice or mechanism to enable the departments to systematically take the needs or priorities of the linguistic communities into consideration in government decision making.

Some departments consult the communities when the implementation of a new program is being considered, or for policy changes, but few do this on a regular basis. Some consult stakeholders directly affected by an issue, but do not necessarily take the special interests or concerns of the linguistic communities into account.

In particular cases and for a limited number of departments, the nature of their mandate and activities is such that they must consult the linguistic communities on an ongoing basis, and have set up formal consultation processes, round tables, and so forth.

4. Knowledge of the *Official Languages Act* and other obligations

Some departments have organized activities to raise awareness of the Act and legislative obligations relating to the official languages, especially when new employees are hired. A number of departments have orientation guides for new employees that include such information.

In general, the departments do a good job of providing information about the changes in language policies and new policies (the language of work policy, for example), and these are communicated to the staff. The respondents did not report on best practices in the departments concerning awareness or ongoing training of staff in relation to official languages.

The corporate approach has not been applied systematically throughout government, especially in implementing this particular portion.

All departments indicated that they have a person who is responsible for official languages, usually an official languages coordinator. It is generally recognized that this person is not at a level that would enable him or her to exercise authority, and that his or her duties involve following up on official language complaints made against the department.

General findings

The data show considerable differences in the quality and number of measures adopted by the departments to ensure compliance with the *Official Languages Act* and policy. It appears that departments with the mandate of offering direct services to the public have generally been more proactive and have often developed useful and more progressive approaches to language matters such as the language of work and the promotion of official language communities.

For other departments, the measurement of success in language matters comes down to the number of complaints that have been made to the Commissioner of Official Languages the previous year, without further efforts being made to monitor compliance.

The survey showed a certain willingness by the departments to comply with the Act and to offer quality services in both languages. That being said, many departments raise the question of the costs associated with translation and language training and other major challenges that stand in the way of a full application of the policy. Some respondents also raised the issue of what efforts should be made if the demand is not there in predominantly English-speaking or French-speaking areas of the province.

It should also be noted that the comments on the renewed language of work policy, which had just come into effect, were made without really knowing yet how it would be applied.

Government plan and action plan framework for 2011 – 2013

In the preceding sections, we have reported on the situation and determined the government's expectations with respect to official languages in each activity sector. The main objective of the resulting strategic planning is to close the gap between the current and desired situation as quickly as possible.

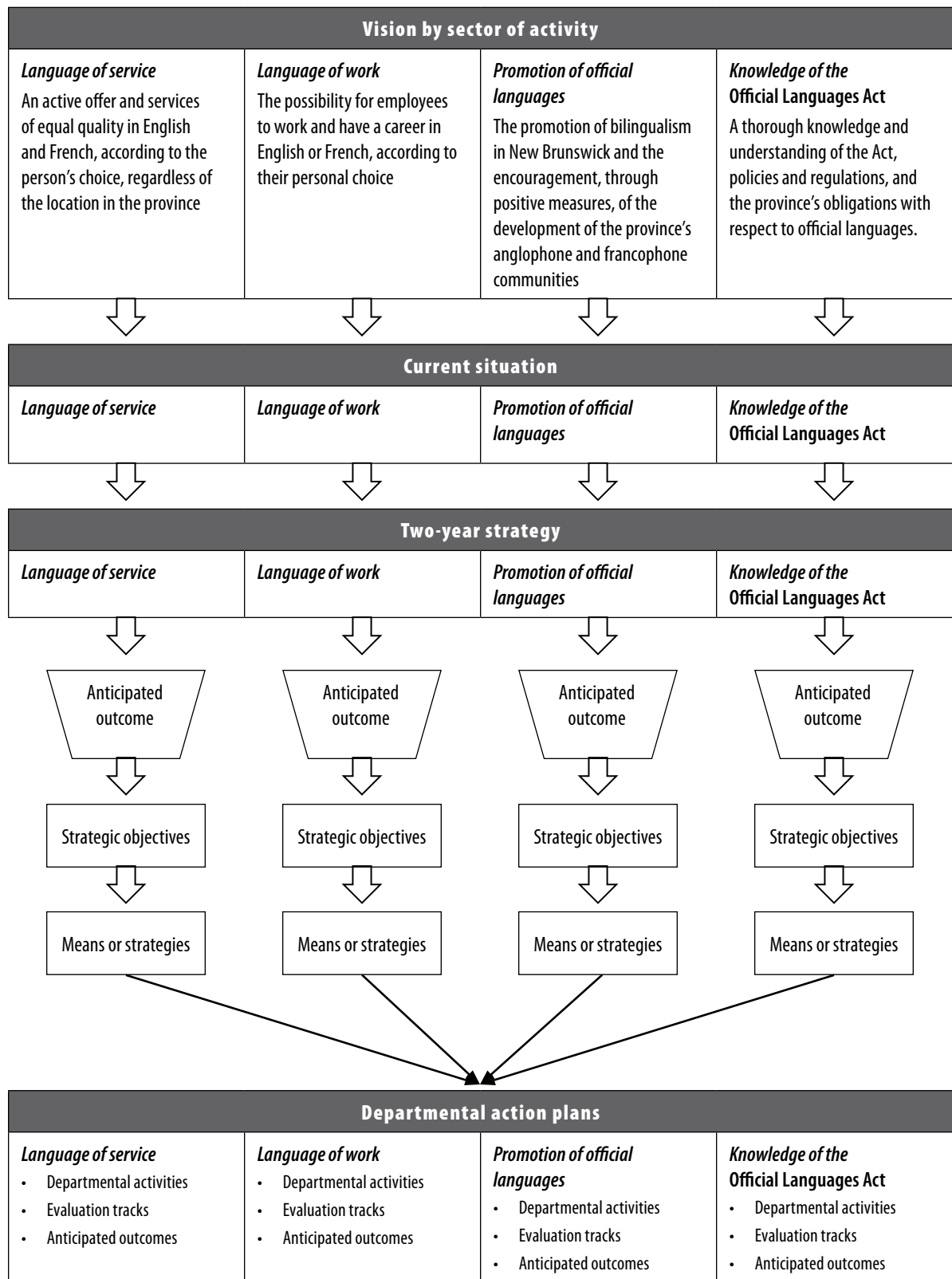
Our province has come a long way since the enactment of its first *Official Languages Act*. The success and achievements to date have been recognized, but we must concede that there is still some work to be done in order to attain the full status and vision of an officially bilingual province.

The Plan is based on a two-year timeframe designed to eliminate the shortfalls that still persist. It will set out the path to follow and put follow-up and evaluation mechanisms in place to enable the government to better understand its official language environment and services in preparation for the review of its Act and regulations.

The Plan is set out in the four identified activity sectors. It will link the findings to date with the overall anticipated outcomes, strategic objectives, and means to be implemented.

The government plan will be followed up by the departments and agencies' action plans, which will start with the means or strategies proposed to determine the department's activities, evaluation methods, and anticipated outcomes for each of the two years.

Strategy schematic diagram



Projection of outcomes for 2011 – 2013

Focus 1 – Language of service

Definition: What we mean by *language of service*.

Active offer and provision of all government services in English and French throughout the province. New Brunswickers have a legal right to receive government services in the official language of their choice.

Overall anticipated outcome: New Brunswickers will have access to service of equal quality in English and French, throughout the province.

Note: This outcome corresponds to the end objective. It assumes that the province will have met its obligations with respect to language of service by the end of this strategic planning period.

Because of the provisions of the Education Act related to duality, the two linguistic sectors in the Department of Education and the school districts, schools, and district education councils are exempt from the Official Languages Act. They operate solely in the official language in which they are organized and are not required to work or offer services in the other official language.

Current situation: Departments do make an active offer of their services in both official languages. Measures are in place so that the first contact with a member of the public is made in the language of the client's choice at reception desks, service wickets, and telephone extensions through direct client services. However, there are still some gaps, and there are instances in which the language of service policy is not fully applied. Since there is no systematic monitoring process in all departments, it is impossible to determine the degree of compliance with government policy. In some cases, when the urgency, nature or complexity of documents warrant, some departments choose not to have them translated. Other reasons for not translating documents include budgetary considerations and low demand from the public.

Strategic objectives	Means (strategies)
<p>1.1 The employer will implement the measures needed for full application of the <i>Official Languages Act</i> with respect to language of service.</p> <p><i>For clarification see:</i> <i>Administration Manual, (Volume 2: The Official Languages - Language of Service Policy and Guidelines)</i> <i>Number: AD-2919</i> <i>Section: OTHER PERSONNEL MATTERS AND TRANSACTIONS</i> <i>Subject: The Official Languages – Language of Service Policy and Guidelines</i> <i>Last revised update: January 2009</i></p>	<ul style="list-style-type: none"> • Departments and agencies will ensure that all written and oral communication with clients will be in the language of their choice. <ul style="list-style-type: none"> – Active offer by telephone – Active offer in person – Active offer through signage – Active offer through correspondence – Active offer through electronic services • Departments and agencies will update and maintain linguistic profiles to ensure that they have the capability to offer quality services in both official languages. • Departments and agencies will ensure that service contracts comply with the language criteria as stipulated in the administration manual. • Departments and agencies will ensure that the toolbox and other mechanisms supporting the application of the offer of services in both languages are well known to employees and accessible to them at all times. • Government will develop a signage policy for government
<p>1.2 The government will put the necessary conditions in place to have a public service capable of offering services in both official languages.</p>	<ul style="list-style-type: none"> • The government will review its language training program to make it more strategic and effective. • The government will develop mechanisms to improve the bilingual capacity of the provincial senior public service.

Focus 2 – Language of work

Definition: What we mean by *language of work*.

The use of English and French in Part 1 (departments and agencies) of the public service and the opportunity for employees to work and have a career in the official language of their choice.

Overall anticipated outcome: All employees will work in an environment and climate that will encourage them to use the official language of their choice in their workplace.

Note: This policy applies to the Department of Education, but in view of the duality of the school system, it does not apply to the divisions of the department organized on the basis of one official language or the other or to the schools or school district offices.

This policy also applies to the Department of Post-Secondary Education, Training and Labour, but not to the community colleges, which are organized on the basis of one official language or the other.

Current situation: The renewed language of work policy came into effect in April 2009. The departments have not had much time to implement it. That said, most have distributed the relevant information to their staff and have already offered information sessions on the policy. Some departments have already implemented procedures to deal with language of work in their workplace. Admittedly, in some situations it is difficult, if not impossible, for an employee to work in the language of his or her choice.

Strategic objectives	Means (strategies)
<p>2.1 Official Languages – Language of Work Policy and Guidelines will be made operational throughout government.</p> <p><i>For clarification see:</i> <i>Administration Manual (Volume 2 / Official Languages - Language of Work Policy and Guidelines)</i> <i>Number: AD-2920</i> <i>Section: OTHER PERSONNEL MATTERS AND TRANSACTIONS</i> <i>Subject: Official Languages – Language of Work Policy and Guidelines</i> <i>Effective Date: April 1, 2009</i></p>	<ul style="list-style-type: none"> • Personnel services and other administrative services provided to employees must be offered and provided in the employees' official language of choice. • Performance reviews must be offered and conducted in the employees' official language of choice. • Day to day communications between a supervisor and an employee must be in the official language chosen by the employee. • If the supervisor cannot communicate in the official language chosen by the employee, the departments and agencies must implement mechanisms to ensure that the employee can communicate in the language of his or her choice. • Employees can draft documents in the official language of their choice. • All work tools provided to employees must be made available simultaneously in both official languages. • Small meetings must be held in a manner that encourages the use of both official languages. For large meetings, both official languages must be used. • The issue of official languages is addressed in the annual performance review of Deputy Ministers by the Premier.
<p>2.2 During the target period, the employer will implement the necessary measures to develop a work climate and environment conducive to the introduction of the language of work policy.</p>	<ul style="list-style-type: none"> • All departments and agencies will set up activities to promote and favor the use of the two official languages in their workplace. • All departments and agencies will review the linguistic profile of their section to enable all employees to work in the language of their choice.

Focus 3 – Promotion of the official languages

Definition: What we mean by *promotion of the official languages*.

All government efforts, including legislation, distribution of public resources, creation of policies and programs, to encourage, via positive measures, the cultural, economic, educational and social development of the two official language communities.

Overall anticipated outcome for the end of the period: New and revised government programs and policies will take into account the realities of the province’s official language communities.

Note: This outcome assumes that the government will continue its action over more than five years.

Current situation: Some departments indicated that they organize activities to promote the official languages. Some organize “Francophone” days or outings “in French” at noon hours. The departments also mentioned that they are often asked to promote the linguistic communities in carrying out their mandate and to implement measures that contribute to their development. However, there is currently no common government practice or mechanism to enable the departments to systematically take the needs or priorities of the linguistic communities into account in government decision making.

Strategic objectives	Means (strategies)
3.1 Official bilingualism is a fundamental value conveyed by the government and its employees.	<ul style="list-style-type: none"> • The government ensures that official bilingualism is included as a fundamental value of the public service and is clearly included in the Code of conduct of the employees of the public service. • The government will introduce an annual activity to celebrate bilingualism and the equality of the linguistic communities. • The Premier will establish an annual recognition award for excellence in government service in both official languages. • The government takes into account official languages in all communications. • There will be a special section in the departments’ annual reports dealing with official languages and providing a status report.
3.2 Public service employees are made aware of the advantages associated with the province having declared itself officially bilingual.	<ul style="list-style-type: none"> • Employees have access to communication tools enabling them to distribute a common, positive message about the use of the two official languages. • Employees will participate in training sessions enabling them to discuss the advantages of official bilingualism and convey the government’s message.
3.3 Implementation or amendment of a policy or program takes into account its impact on the province’s Anglophone and Francophone communities.	<ul style="list-style-type: none"> • Briefs submitted to the Executive Council will contain a section discussing the potential impact of the program or policy on Anglophone and Francophone communities. • The government will review Immersion and second language education programmes.
3.4 The government takes advantage of the benefits of official languages in terms of economic development.	<ul style="list-style-type: none"> • The government will examine how to promote and develop the Language Industry in New Brunswick.

Focus 4 – Knowledge of the legislation and other obligations

Definition: What we mean by *knowledge of the legislation and other obligations*.

The knowledge and understanding required so that each employee can correctly apply the policies and procedures arising from the *Official Languages Act* and other obligations related to language rights to create a work environment conducive to carrying them out.

Overall anticipated outcome: Public service employees will have a thorough knowledge and understanding of the Act, policies, and regulations and the province's obligations with respect to official languages.

Current situation: Some departments have organized activities to raise awareness of the Act and legislative obligations, especially when new employees are hired. A number of departments have orientation manuals for new employees that include documentation on the official languages. In general, the departments do a good job of providing information about the changes in language policies and new policies (the language of work policy, for example), and these are communicated to the staff. The corporate approach developed has not been applied systematically throughout government, especially in implementing this particular portion. Respondents did not report on best practices within the departments with regard to awareness or continuous training in official languages. All departments indicated that they have a person in place is responsible for official language matters, generally the official languages coordinator. It is generally acknowledged that this person is not at a level of authority that would enable him or her to exercise authority and that his or her duties involve follow-up to official language complaints against the department.

Strategic objectives	Means (strategies)
<p>4.1 Provincial employees will have been informed about the Act and the policies and regulations governing their interactions with the public</p>	<ul style="list-style-type: none"> • The departments and agencies will organize information and awareness-raising sessions for their employees to inform and educate them about the Act, regulations, policies, and objectives related to the recognition of the official languages. • The status and role of the official languages coordinator in the departments and agencies are reviewed to improve efficiency. • The government will develop a session on official language obligations for all departments and agencies so they can include it in their orientation program for new employees. • The toolbox developed by the Office of Human Resources will be better promoted and regularly updated. • The employee performance review process includes a review of the government's official languages obligations.
<p>4.2 Follow-up and evaluation of government activity with respect to official languages.</p>	<ul style="list-style-type: none"> • The government will develop a systematic evaluation mechanism that clearly identifies targets, and sets performance criteria (benchmarks) and evaluation conditions and tools. This mechanism will also need to provide for an ongoing consultation process with various stakeholders but also and above all with the general public.

Action plans

To be operational and effective, the New Brunswick government's official languages Plan must be accompanied by action plans in each department, which will determine the activities, evaluation methods, and expected outcomes of the government plan's objectives.

We should bear in mind that the government Plan extends over a two-year period. That is a short amount of time in which to make a significant shift with respect to official languages, especially when looking at the development of areas as complex as attitudes, social climate, and environment. The government also recognizes the urgency of a much better application of the law and policy adopted over 40 years ago, which is why it has chosen to put an ambitious and aggressive process in place to address existing gaps and deficiencies as soon as possible.

The departments' and agencies' action plans will take all of the objectives of the Plan into consideration. They will need to determine specific and concrete actions, activities, and means to satisfy the province's official language aspirations for each strategic objective of each of the four focuses of the Plan.

The action plans will also be developed over two years. Based on the strategies identified in government planning, the departments and agencies will spread their activities over the two years targeted (2011-2012 and 2012-2013). They must contain actions for each of the four focuses of the Plan for each of the two years, which will make it easier to follow their evolution, take note of progress, and make adjustments as required.

For the sake of uniformity and consistency, the Coordinating Committee proposes that the departments use the same format in developing their action plans. The suggested model is presented in Appendix 2 of this document.

Every year, the departments and agencies subject to this exercise will evaluate their official languages activities. They will review their action plan and produce an annual report on official languages activities. The report will include a structured section on activities planned and a section for analysis and projection. A midterm evaluation and follow-up will be discussed.

At the end of the two-year implementation period for the Plan, the departments and agencies will carry out a summative evaluation of their action plan. Each evaluation will be part of a comprehensive report that will be submitted to government authorities.

Over the two years of the Plan, the government will establish a mechanism to satisfactorily evaluate the overall progress made in the province and to proceed with an enlightened review of the Act and the development of its next plan.

This process will include a systematic evaluation mechanism that will clearly identify targets and set performance criteria (benchmarks), and evaluation methods and tools. This mechanism must also provide for an ongoing consultation process with the various stakeholders, but also, and above all, with the general public.

The action plan preparation and follow-up process will also require strong leadership and the unconditional support of the most senior political authorities in government. The Plan also calls upon the government and each of its departments and agencies to set an example, give their full commitment, and contribute to achieving true equality of the two official linguistic communities.

The Government of New Brunswick is more than just a set of departments and agencies. It also has an administration and leadership, as well as strong support from the political authorities, especially from the Office of the Premier. Therefore, to show the Province's commitment, and in follow-up to the preparation

of the Plan, the Premier will entrust the task of coordinating the development of action plans and their follow-up to a central agency or department.

The coordination of government activity and action plans for official languages will include the following actions:

- Coordinate the preparation of action plans in every department and agency and their evaluation;
- Offer advice and assistance as requested for the preparation of action plans;
- Review government Plan as needed;
- Suggest means or actions arising from the Plan that require the attention of the central administration;
- Follow up with departments and agencies on a regular basis;
- Ensure preparation of components arising from overall accountability for government as a whole.

Follow-up and accountability process

The follow-up and accountability process for the government official languages Plan is based on the following principles:

- Accountability of departments
- Results-based management
- Transparency
- Desire for progressive improvement
- The need to be accountable to the public

With respect to the accountability of departments, the support process is based on the commitment of senior officials in each department and agency. Deputy Ministers will be responsible to meet government's official languages objectives and report on their contribution during their annual performance review.

The Plan and action plans for official languages in New Brunswick are founded on results-based management. That is to say, the structure itself uses inputs (policy statement), activities (departments' action plans), and outputs (annual and end of period outcomes).

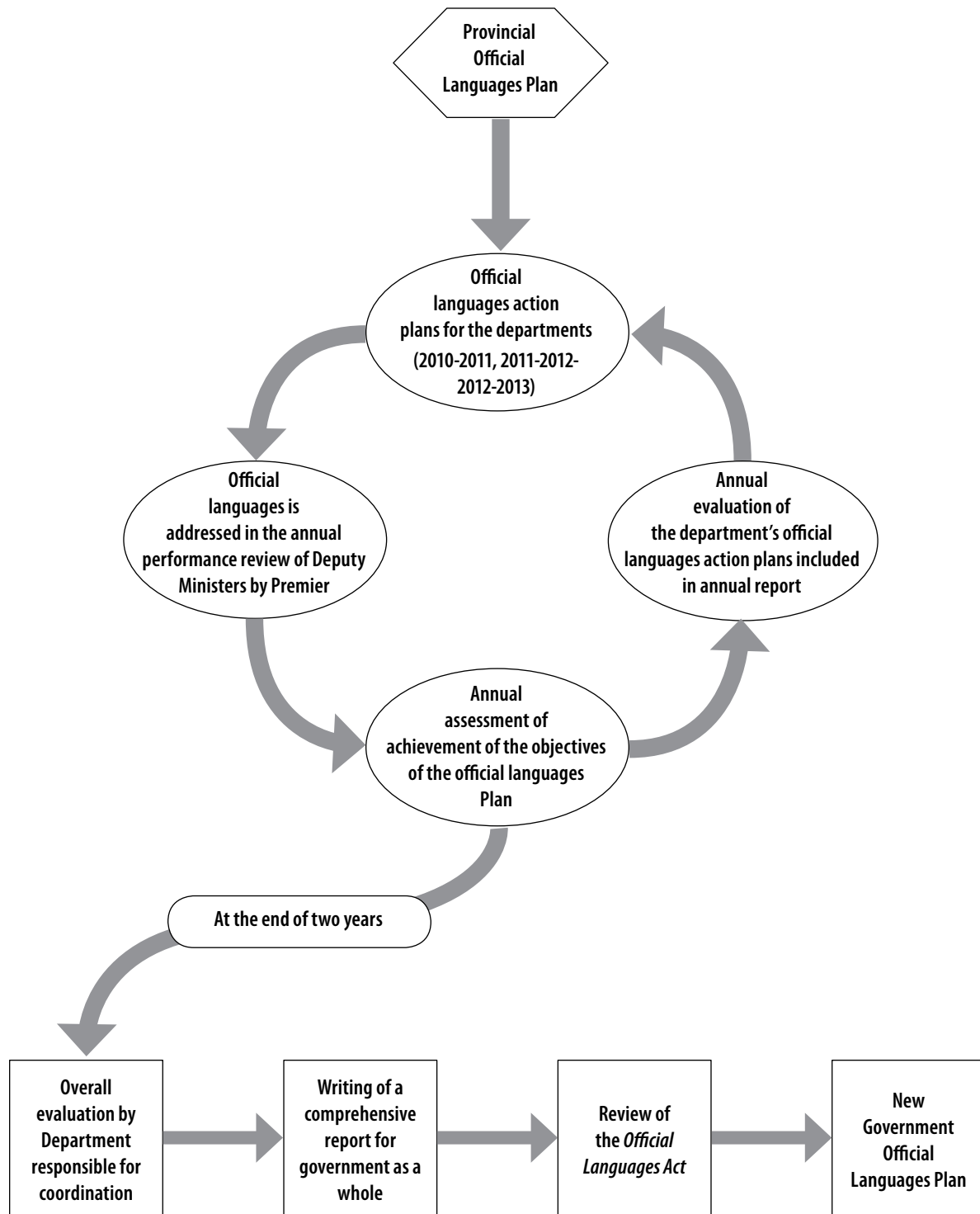
The successes and challenges will need to be reported as clearly as possible. In some specific situations, the issue of official languages continues to present challenges, so things will have to be told as they are. That is what we call "transparency."

The various stakeholders in the central offices and in the departments and agencies will look at instilling a climate of confidence in their workplace that will place top priority on official languages. They make sure that their official language objectives and the lens through which they measure their progress are constantly monitored. The goal to improve must be shared with all employees of the New Brunswick public service.

In its desire to achieve equal status for the province's two official linguistic communities, New Brunswick will need to develop mechanisms to enable the various stakeholders and the general public to follow and assess the progress of this issue. The action plans are the pillar of the Plan. They belong to the departments and will be evaluated annually. At the end of the two years of the Plan, it will be up to the government to closely follow the progress made on official languages in order to better assess the overall situation, adequately prepare for the review of the Act, and chart a new course toward excellence in official languages in the province.

The following diagram follows the critical path of accountability related to the government Plan and the departments' action plans on official languages. It is circular for each of the two years in order to clearly target the responsibilities of the departments themselves. At the end of the period, it also requires the government as a whole to evaluate the Plan's outcomes, in order to take a critical look at what was done in the past and put some guidelines in place for the future.

Follow-up and accountability flow process



Appendix 1: Background on official languages in New Brunswick

1969	<ul style="list-style-type: none"> The first <i>Official Languages Act of New Brunswick</i> was enacted on April 18, 1969. The Act set out that English and French are the two official languages of New Brunswick and recognized the fundamental right of New Brunswickers to receive services in the official language of their choice from the provincial government.
1981	<ul style="list-style-type: none"> On July 17, 1981, the Legislative Assembly adopted the <i>Act Recognizing the Equality of the Two Official Linguistic Communities in New Brunswick</i>. Better known as Bill 88, the Act affirmed, among other things, the equality of status and equal rights and privileges of the two linguistic communities. It also entitled the two linguistic communities to separate institutions in which cultural, educational, and social activities could be carried on. The fundamental principles found in Bill 88 were enshrined in the <i>Canadian Charter of Rights and Freedoms</i> in the Canadian Constitution in 1982.
1982	<ul style="list-style-type: none"> The <i>Canadian Charter of Rights and Freedoms</i> is enacted. Sections 16 to 20 in the Canadian Constitution entrench official bilingualism for New Brunswick in the Constitution, making it the only officially bilingual province in Canada. The Report of the Poirier-Bastarache Task Force on Official Languages, <i>Towards Equality of the Official Languages in New Brunswick</i>, was published. It contained the results of a study conducted for a review of the <i>Official Languages Act</i> of 1969. The report included sociolinguistic and demographic linguistic data from New Brunswick and detailed information about the number of Anglophone and Francophone employees working in the public service.
1986	<ul style="list-style-type: none"> In March 1986, the Report of the Guérette-Smith Advisory Committee on Official Languages of New Brunswick was published. This report contained the views and opinions of the public on the use of the two official languages and the committee's conclusions. It also contained comparative data for 1985, 1982, and 1978 on the number of Anglophone and Francophone employees in the public service.
1988	<ul style="list-style-type: none"> The Province of New Brunswick presented its first official languages policy, which contained three components - language of service, language of work, and implementation. The concept of linguistic profiles for the team approach was also presented.
1990	<ul style="list-style-type: none"> The first report on the implementation of the official languages policy was published. The report included general information on the establishment of linguistic profiles for all agencies in Part I of the public service. The report also explained the rationale and advantages of the team approach, as well as the factors used to determine the size and language proficiency required of each group.
1992	<ul style="list-style-type: none"> The government agreed to prepare an annual report on official languages, containing data on activities related to official languages and detailed information about the departments' linguistic profiles. These reports were published until 1997. Since 1997 and 1998, each department has been responsible for including its official language activities in its annual report. The Department of Finance and the Office of Human Resources (OHR) have continued to publish data on the linguistic profiles of the New Brunswick government, although they no longer publish the details for each department.

1993	<ul style="list-style-type: none"> In 1993, the Charter was amended by the insertion of section 16.1 guaranteeing the equality of the Anglophone and Francophone communities of New Brunswick.
1997	<ul style="list-style-type: none"> The <i>Delaney-LeBlanc Report: Government of New Brunswick, Bonjour! A Study on the Effectiveness of New Brunswick's Language Policy</i> was published. For the first time since New Brunswick's official languages policy came into effect in 1988, a study was conducted to assess how effectively it was working and its overall management, especially in terms of its two main components, language of service and language of work. The study ran for a seven-month period and reached three main conclusions: <ol style="list-style-type: none"> There is room for improvement in service delivery in both official languages in the province, especially when it comes to active offer and availability of service in the public's language of choice. The spirit of the policy adopted in 1988 is still valid, but must be complied with and supported by the necessary leadership and guidance. When properly used, the team approach to service delivery remains a useful and effective tool to reach the objectives set and to maintain the desired balance, considering the linguistic reality of the province. A more balanced use of both official languages at work is needed to foster the development and retention of the language skills required to deliver services in both languages.
2002	<ul style="list-style-type: none"> The new <i>Official Languages Act</i> came into effect in August 2002. Its main objective was to ensure that English and French were respected as the official languages of New Brunswick and to ensure equality of status and privilege in their use in all provincial institutions. A Deputy Ministers' Committee on Official Languages was set up to support and oversee the implementation of the new Act..
2003	<ul style="list-style-type: none"> The first Commissioner of Official Languages was appointed in 2003. The Office of the Commissioner opened on April 1, 2003. Since that time, the Office of the Commissioner of Official Languages has dealt with official language complaints.
2005	<ul style="list-style-type: none"> The language of service component was updated in 2005. The language of work and implementation components have not been changed; however, the OHR received a government directive to review the language of work policy as a compromise for not having included it in the <i>Official Languages Act</i>.
2007	<ul style="list-style-type: none"> The Deputy Ministers' Committee on Official Languages was abolished in September 2007. Topics normally discussed at those meetings are now dealt with at the regular meetings of the Deputy Ministers.
2009	<ul style="list-style-type: none"> A revised language of work policy was presented on April 1, 2009. A Coordinating Committee on Official Languages is established.
2011	<ul style="list-style-type: none"> Approval of the Government Plan on Official Languages. Revision and completion of the departments' action plans.

Appendix 2: Action plan prototype

Coordination of Official Languages

ACTION PLAN (2011 – 2012 and 2012 – 2013)

Name of Department or Agency

Name of contact person

Email

Telephone

Focus 1 Language of service

Overall anticipated outcome for 2013: *New Brunswickers will have access to service of equal quality in English and French throughout the province.*

Strategic objectives	Means (strategies)	Lead Partners	Department's activities	Evaluation method	Expected outcomes	Check target year for each expected outcome	
						2011-2012	2012-2013
1.1 The employer will implement the measures needed for full application of the <i>Official Languages Act</i> with respect to language of service.	<ul style="list-style-type: none"> Departments and agencies will ensure that all written and oral communication with clients will be in the language of their choice. <ul style="list-style-type: none"> – Active offer by telephone – Active offer in person – Active offer throughout signage – Active offer through correspondence – Active offer through electronic services 	All departments and agencies					
	<ul style="list-style-type: none"> Departments and agencies will update and maintain linguistic profiles to ensure that they have the capability to offer quality services in both official languages. 	All departments and agencies					
	<ul style="list-style-type: none"> Departments and agencies will ensure that service contracts comply with the language criteria as stipulated in the administration manual. 	All departments and agencies					
	<ul style="list-style-type: none"> Departments and agencies will ensure that the toolbox and other mechanisms supporting the application of the offer of services in both languages are well known to employees and accessible to them at all times. 	All departments and agencies					
	<ul style="list-style-type: none"> The government will develop a signage policy for government 	Supply and Services Transportation Tourism and Parks Communications NB					
1.2 The government will put the necessary condition in place to have a public service able to offer services in both official languages.	<ul style="list-style-type: none"> The government will review its language training program to make it more strategic and effective. 	Post-Secondary Education, Training and Labour IGA / Office of Human Resources					
	<ul style="list-style-type: none"> The government will develop mechanisms to increase the bilingual capacity of senior management in the provincial public service. 	Office of Human Resources					

Focus 2 Language of work

Overall anticipated outcome : *All employees will work in an environment and climate that will encourage them to use the official language of their choice in their workplace.*

Strategic objectives	Means (strategies)	Lead Partners	Department's activities	Evaluation method	Expected outcomes	Check the target year for each expected outcome	
						2011-2012	2012-2013
2.1 Official Languages – Language of Work Policy and Guidelines will be made operational throughout the government.	• Personnel services and other administrative services provided to employees must be offered and provided in the employees' official language of choice.	All departments and agencies					
	• Performance reviews must be offered and conducted in the employees' official language of choice.	All departments and agencies					
	• Day-to-day communications between a supervisor and an employee must be in the official language chosen by the employee.	All departments and agencies					
	• If the supervisor cannot communicate in the official language chosen by the employee, the departments must implement mechanisms to ensure that the employee can communicate in the language of his or her choice.	All departments and agencies					
	• Employees can draft documents in the official language of their choice.	All departments and agencies					
	• All work tools provided to employees must be made available simultaneously in both official languages.	All departments and agencies					
	• Small meetings must be held in a manner that encourages the use of both official languages. For large meetings, both official languages must be used.	All departments and agencies					
	• The issue of official languages is addressed in the annual performance review of Deputy Ministers by Premier.	Office of the Premier					
2.2 During the target period, the employer will implement the necessary measures to develop a work climate and environment conducive to the introduction of the language of work.	• All departments and agencies will review the linguistic profile of their section to enable all employees to work in the language of their choice.	Office of Human Resources					
	• All departments and agencies will set up activities to promote and favor the use of the two official languages in their workplace.	All departments and agencies					

Focus 3 Promotion of the official languages

Overall anticipated outcome for the end of the period:

New and revised government programs and policies will take the realities of the province's official language communities into account.

Strategic objectives	Means (strategies)	Lead Partners	Department's activities	Evaluation method	Expected outcomes	Check the target year for each expected outcome	
						2011-2012	2012-2013
3.1 Official bilingualism is a fundamental value conveyed by the government and its employees.	• The government ensures that official bilingualism is included as a fundamental value of the public service and is clearly included in the code of conduct of the employees of the public service.	Office of Human Resources					
	• The government will introduce an annual activity to celebrate bilingualism and the equality of the linguistic communities.	Wellness, Culture and Sport					
	• There will be a special section in the departments' annual reports dealing with official languages and providing a status report.	All departments and agencies					
	• The Premier will establish an annual recognition award for excellence in government service in both official languages.	Office of the Premier					
	• The government will take into account official languages in all communications.	All departments and agencies					
3.2 Provincial employees are made aware of the advantages associated with the province having declared itself officially bilingual.	• Employees have access to communication tools enabling them to distribute a common, positive message about the use of the two official languages.	Communications New Brunswick					
	• Employees will participate in training sessions enabling them to discuss the advantages of official bilingualism and convey the government's message.	All departments and agencies					
3.3 Implementation or amendment of a policy or program takes into account its impact on the province's Anglophone and Francophone communities.	• Briefs submitted to the Executive Council will contain a section discussing the potential impact of the program or policy on Anglophone and Francophone communities	All departments and agencies					
	• The government will review Immersion and second language education programmes.	Education and Early Childhood Development					
3.4 The government takes advantage of the benefits of official languages in terms of economic development.	• The government will examine how to promote and develop the Language Industry in New Brunswick.	RDC IGA					

Focus 4 Knowledge of the legislation and other obligations

Overall anticipated outcome: *Public service employees will have a thorough knowledge and understanding of the Official Languages Act, policies and regulations, and the province's obligations with respect to official languages.*

Strategic objectives	Means (strategies)	Lead	Department's activities	Evaluation method	Expected outcomes	Check the target year for each expected outcome	
		Partners				2011-2012	2012-2013
4.1 Provincial employees will have been informed about the Act and the policies and regulations governing their interactions with the public.	<ul style="list-style-type: none"> The departments and agencies will organize information and awareness-raising sessions for their employees to inform and educate them about the Act, regulations, policies and objectives related to the recognition of the official languages. 	All departments and agencies					
	<ul style="list-style-type: none"> The status and role of the official languages coordinator in the departments and agencies are reviewed to improve efficiency. 	Office of Human Resources					
	<ul style="list-style-type: none"> The government is developing a session on official language obligations for all departments and agencies so they can include it in their orientation program for new employees. 	Office of Human Resources					
	<ul style="list-style-type: none"> The toolbox developed by the Office of Human Resources will be better promoted and regularly updated. 	Office of Human Resources					
	<ul style="list-style-type: none"> The employee performance review process includes a review of the government's official languages obligations 	All departments and agencies					
4.2 Follow-up and evaluation of government activity with respect to official languages.	<ul style="list-style-type: none"> The government will develop a systematic evaluation mechanism that clearly identifies targets, and sets performance criteria (benchmarks) and evaluation conditions and tools. This mechanism will also need to provide for an ongoing consultation process with various stakeholders but also, and above all, with the general public. 	IGA					