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**Motion to Authorize Committee to Study
Effect of Relocating Federal Departments**

Speech by:

The Honourable Claudette Tardif

Thursday, October 20, 2005

THE SENATE

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[Translation]

OFFICIAL LANGUAGES

MOTION TO AUTHORIZE COMMITTEE TO STUDY EFFECT OF RELOCATING FEDERAL DEPARTMENTS—DEBATE ADJOURNED

Hon. Claudette Tardif, pursuant to notice of July 6, 2005, moved:

That the Standing Senate Committee on Official Languages study and report its recommendations to the Senate on the following no later than June 15, 2006:

- 1) The relocation of federal department head offices from bilingual to unilingual regions and its effect on the employees' ability to work in the official language of their choice;
- 2) The measures that can be taken to prevent such relocations from adversely affecting the application of Part V of the Official Languages Act in these offices, and the relocated employees' ability to work in the official language of their choice.

She said: Honourable senators, the motion I am submitting for your examination today is another opportunity for the Senate to contribute to strengthening bilingualism within the federal public service.

Its specific intent is to prevent the relocation of federal department head offices from adversely affecting the relocated employees' ability to work in the official language of their choice.

[English]

This motion is another occasion for the Senate to facilitate the relocation of government offices and to ensure that it is done in a manner that is respectful of the law and of federal employees' workplace rights, which are protected by Part V of the Official Languages Act. The aim of this motion is to ensure that the federal government does not have to intervene by way of decree when it is relocating its institutions to undesignated regions for workplace language purposes, and to establish clear policies and guidelines for the federal government to follow in the event of any other move of its offices to undesignated regions.

• (1530)

I fully support the government's effort to decentralize its offices so that more communities may take advantage of the economic benefits and of the federal government's increased presence in the regions. However, such a move must be done according to clear government guidelines to ensure a smooth transition for the federal employees who decide to relocate. We must facilitate the process by ensuring that the federal government is not infringing on its employees' rights and its own regulations.

[Translation]

Honourable senators, my purpose in presenting this motion is mainly related to the negative impact on the language of work arising out of the relocation of the Canadian Tourism Commission. Its relocation from Ottawa to Vancouver is to be completed by the end of 2005 and will be increasing operational productivity as well as stepping up the federal presence in Western Canada.

This is an excellent initiative and one I wholly subscribe to. I am in favour of institutions providing services to the public being located outside Ottawa. There are numerous advantages to this decentralization to the regions, as Senator Downe's inquiry of February 2, 2005 clearly showed.

After Senator Downe's presentation, our colleagues Senators Robichaud, Ringuette, Chaput and Mitchell made eloquent speeches extolling the benefits of a federal presence in other communities across the country.

[English]

In a country that is as geographically expansive as ours, the decentralization of government operations can have many advantages. It increases the number of federal employees outside the National Capital Region and increases the government's presence in economically sensitive communities. The Canadian Tourism Commission's move to Vancouver increases the federal government's presence in the Western provinces and provides the possibility of increased employment opportunities for graduates from our French-as-a-second-language programs and francophone schools.

[Translation]

This initiative would increase the federal government's presence in certain communities, especially ones with weak economies and high unemployment rates. Moreover, from the perspective of Part VII of the Act, moving the Canadian Tourism Commission to British Columbia could be a good opportunity for the government to assist the development of the francophone community in British Columbia, to enhance linguistic duality and to promote the French fact in British Columbia. This would also create more jobs for graduates with knowledge of both official languages.

Relocating the Department of Veterans Affairs to Charlottetown in 1976 is a good example that illustrates what such an initiative can bring to a region. In addition to the economic aspect, Senator Downe mentioned the linguistic aspect to illustrate the impact such moves can have. According to him, one of the effects of moving Veterans Affairs to Charlottetown was a remarkable increase in the use of French.

This move, which occurred before the new Official Languages Act was passed in 1988, combined with other factors, had a positive impact on the francophone community by giving it greater cohesion. In this case, moving Veterans Affairs helped stimulate the vitality of francophone communities and create more jobs for young francophones and francophiles on Prince

Edward Island. Minority francophone communities like nothing more than to be supported by our efforts to develop and promote our linguistic duality. I recently had the privilege of traveling to Nova Scotia with my colleagues from the Standing Senate Committee on Official Languages. This trip showed us just how much this Acadian and francophone community, like all francophone communities in Canada, needs support to develop and flourish.

The federal government and its institutions play a key role in reinforcing the vitality and development of francophone communities. However, we must ensure that there are no negative consequences on the ability of relocated public servants to work in the official language of their choice. The relocation of the Canadian Tourism Commission from Ottawa to Vancouver, in other words from a region designated as bilingual for language-of-work purposes, to a non-bilingual region, is an example of the collateral effects that such an initiative may have on the working conditions of public servants. A number of official voices, including that of the Official Languages Commissioner, have stated that, if no permanent measures are taken, the guaranteed right under the Official Languages Act of francophone employees to work in the language of their choice may be compromised.

[*English*]

The relocation of the Canadian Tourism Commission from Ottawa, a designated region for language-of-work purposes, to Vancouver, a non-designated region, provides a good example of the unforeseen consequences such a move can have on federal employees' working conditions.

Part V of the Official Languages Act recognizes federal employees' right to work in the official language of their choice in certain designated areas. All designated areas are in New Brunswick, Québec and Ontario. I note that there are none west of Ontario or east of New Brunswick.

Senator Ringuette: Shame!

[*Translation*]

Senator Tardif: These regions were designated following the adoption of the Parliamentary Resolution on Official Languages in the Public Service. This measure, which followed on the heels of the Official Languages Act of 1969, confirmed the right of federal employees in specific situations to work in the official language of their choice. In accordance with the legislation, the federal government had to ensure that federal employees working in such regions benefited from conditions conducive to the use of French or English.

Because Vancouver is not a bilingual location for the purposes of work, the francophone employees of the Canadian Tourism Commission, who elect to relocate will no longer benefit from all the tools they need to work in their first official language. They will be forced to give up this right, which they enjoyed in Ottawa for a number of years. Anglophone employees who want to practice their second official language in order to improve their language skills will also suffer the ill effects of this situation.

If nothing is done, the federal government and federal institutions, which may relocate to non-bilingual regions, may lose the linguistic skills of existing employees because the latter will no longer be able to work in their second language.

[Senator Tardif]

David Emerson, the minister responsible for this Crown corporation, made sure the provision of the Official Languages Act on providing the public with services in French and English would be respected by the Canadian Tourism Commission. Part IV of the act guarantees the public the right to communicate with the head office of a federal institution in the official language of their choice. Paradoxically, even if the employee's position is still designated bilingual, the only time francophones at Canadian Tourism Commission will use their language at work will be in serving the public. Would it not be frustrating to lose your right, overnight, to use your language during meetings and to no longer be able to receive and write internal documentation and material in the language of your choice? Would it not be frustrating to no longer have access to computer programs in the language of your choice? It is difficult enough to relocate and adapt your life. It is even more difficult to conduct your professional life when your rights have been taken away.

• (1540)

Suggestions have been made to correct this situation, which certainly does not encourage employees to agree to go to their new assignment.

On June 27, the Treasury Board approved an implementation principle that temporarily protects employees' language-of-work rights when a head office moves from a bilingual region to a unilingual region.

This begs the question: Would it not be better to avoid the need to issue an order every time a federal institution is relocated? The federal government has shown its desire to decentralize more of its activities. It is likely that other decentralizations will follow that of the Canadian Tourism Commission. In July, after the decision on the tourism commission, 120 jobs at the CanMet lab at the Department of Natural Resources were moved from Ottawa to Hamilton.

What is more, there are persistent rumours that 400 translators at Public Works and Government Services in Gatineau are going to be moved to New Brunswick. In the context of increased relocation of federal government activities to the regions, I think it would be important to examine the matter carefully in order to find lasting solutions.

[*English*]

Since the federal government has indicated that it may consider further relocations of federal institutions, let us ensure that all further decentralizing activities are done according to the federal government's laws and regulations. Let us ensure that it is done in a quick and efficient manner, while still respecting federal employees' rights.

Is not the protection of regions and of minorities one of the roles of the Senate? Let us be proactive and equip the federal government with long-term solutions that will make all future relocations efficient and law abiding.

[*Translation*]

What solutions? How to go about it? There could be a regulation, an amendment added on to the Official Languages Act, or some other approach defined by the Standing Senate Committee on Official Languages.

[*English*]

The Official Languages Committee could also study the feasibility of new designated regions for language-of-work purposes in order to spread more evenly throughout the country the advantages that come with the re-localization of federal offices.

[*Translation*]

My hope in introducing this motion is to make it possible for the Standing Senate Committee on Official Languages to address this matter and come up with some suggestions for the government.

In my humble opinion, an opinion shared, moreover, by a number of my colleagues, reflecting on this matter and collecting some informed opinions is the best way to help maintain the obligations set out in Part V of the Official Languages Act and to consolidate the guarantee federal public servants have of working in the official language of their choice.

The intention behind the decision-makers' choice to decentralize is a laudable one. It is, however, possible that there may be some unexpected outcomes that cannot be overcome without some corrective or accompanying measures.

Hon. Fernand Robichaud (The Hon. the Acting Speaker): Honourable senator Tardif, your speaking time is up. Do you wish to ask for more time?

Senator Tardif: I would like two more minutes.

Hon. Senators: Agreed.

Senator Tardif: Decentralizing public services has an important role to play in bringing the federal administration closer to people, but must not represent a burden to those responsible for delivering services. It must have little or no impact on employees' working conditions.

Between 1974 and 2005, the number of bilingual public service positions rose from 21 per cent to 39 per cent. If public service bilingualism has made major advances today, and if we have a public service increasingly attuned to the existence of both official languages, this is in large part the result of increasingly scrupulous application of the Official Languages Act. If we want to continue to have a public service that is even more representative of our linguistic duality, we must be even more vigilant or the progress made so far will be lost.

As a protector of minorities, the Senate must have a say on bilingualism within the public service, particularly where language of work is concerned, as we have in the past on a number of other issues contributing to creating a Canada where diversity is not an obstacle. It is therefore incumbent upon the Senate to examine this thoroughly.

I therefore propose that the motion be referred to the Standing Senate Committee on Official Languages and that the committee report to the Senate no later than June 15, 2006.

On motion of Senator Segal, debate adjourned
