



Brief

MODERNIZATION OF THE OFFICIAL LANGUAGES ACT
TOWNSHIPPERS' ASSOCIATION



Modernization of the Official Languages Act

*Appearance before the Senate Standing Committee on
Official Languages*

June 4th, 2018

For close to 40 years now Townshippers' Association has been at the forefront of community engagement, pursuing its mission to promote the interests of the English-speaking community in Quebec's historical Eastern Townships, strengthen its cultural identity, and encourage the full participation of the English-speaking population in the community at large. We work on behalf of approximately 40,000 English-speakers who are spread across a region that is larger than Belgium in its geography; stretching from Philipsburg in the west to Megantic in the east, and from Inverness in the north to the U.S. border in the south.

This brief will explore factors affecting Official Language Minority Community vitality in relation to the Official Languages Act within the context of its modernization and provide recent statistics describing the situation of English-speakers in the Historical Eastern Townships; recommendations for consideration in the updating of this important piece of legislation appear in bold throughout.

As the only piece of language rights legislation safeguarding the interests of Quebec's English-speaking communities its importance cannot be understated, nor can its influence on vitality for those communities be underestimated. The Act ensures and frames funding for our institutions and community development networks; rights for English-speakers regarding access to federal services in English, their representation in the federal public service and their right to do those jobs in English.

The Historical Eastern Townships (HET) is home to approximately 40 000 individuals who identify their first official language spoken (FOLS) as English (Pocock, 2018). Youth retention continues to challenge the renewal and vitality of our communities; the proportion of English-speakers aged 45 and up outweighs the proportion of



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those 0-44 (52.5% to 47.6% respectively) (Pocock, 2018).

In 2016, just over half (53.2%) of English-speakers in the historical Eastern Townships held a high school certificate or less and their tendency to have a low income was elevated (40%) when compared to French-speakers (32.9%) in the region (Pocock 2018). Levels of unemployment were also higher among English-speakers (7.1%) in the HET when compared to their French-speaking counterparts (6%) (Pocock 2018).

Provincially in 2016, 38.5% of English-speakers found themselves in a low-income bracket compared to 31.8% of the majority community. Low income is higher among English-speakers living in the Historical Eastern Townships (40% vs. 32.9%); the percentage of English-speakers in the HET who earn more 50K or more per year also falls below that of French-speakers in the same region (18.9% vs. 23.5%) (Pocock 2018).

When contemplating the significance of the Official Languages Act for the minority language community that resides in Quebec's historical Eastern Townships one of its most pressing challenges, employability, comes to mind – how does a piece of legislation like the Official Languages Act impact something like employment issues in our region? How could changes to the Act improve the employment scenario for English-speakers in rural Quebec? Our community faces several obstacles to gainful employment in the private sector due to the way that Bill 101 is interpreted or applied as well as discrimination related to how accents are received; aside from federal public service opportunities, how would a modern Official Languages Act address specific barriers to employment for rural Quebec's English-speakers?



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When measuring community vitality, **a modern Official Languages Act should offer incentives to employers in Quebec who recognize the benefits of having a multilingual workplace, with French first of course, and create opportunities that include and value Quebec's English-speakers.**

Further to the issue of employment, **federal institutions should lead by example and employ adequate numbers of minority language Canadians.** Minority language Canadians are largely absent from the federal workforce in the regions; English-speakers are chronically underrepresented in federal positions outside of the Quebec City area. **Extending language rights under the act to federally-regulated workers in businesses across Canada,** as mentioned by our colleagues at the QCGN, **providing a right to work and a right to service in the minority language from federally-regulated businesses and institutions** benefits both official language minority communities Canada-wide.

The Act must address the Internet and minority language populations more closely if it wants a truly modern language act. While technology may very well displace geography in many ways it has also proven to further marginalize the already marginalized; **Part V of the Act could provide civil servants with the right to use either official language in their place of work, remote or in-office, as well as the right to learn their second language.**

As the standard for operations becomes increasingly digital and citizen interactions with the federal public service are driven to websites we must not, we cannot, dismiss rural communities where the technologies required to conduct affairs online are inadequate nor can we deny aging populations whose first reflex is not to do business digitally.

Part III of the Act already provides several obligations for federal courts and tribunals; the current obligations regarding the administration of justice should remain and **should be enhanced to include the provision that judges of Canada's Supreme Court be fluently bilingual, i.e. able to understand their second official language**



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without using an interpreter. When examining access to justice for English-speakers in a region like Quebec's Eastern Townships, **Part III of the Act could be further supported by a provision under Part VII that encourages and assists provincial governments in guaranteeing that access to justice in one's official language includes more than bilingual judges** – support staff with adequate language skills for those bilingual judges is essential. **Part VII of the Act needs clarity; its definitions, its application, and the Minister of Canadian Heritage's authority to implement its commitments. A modern Act must clearly define what it means by "positive measure"; "enhancing vitality" and "assisting in the development of" regarding official language minority communities.**

Official language minority communities hold the expertise required to understand the most effective investments of federal monies to respond to their specific needs. **A modern Act should make space for official language minority communities to identify and develop federal investment priorities and support a direct contribution model that enhances OLMC networks and develops their capacity.**

There must be transparency around federal investments from provincial and territorial government recipients and there must be a more focused role for the Commissioner of Official Languages along with an established mechanism with the power to sanction transgressions against the Act.

The English-speaking community in Quebec needs to be properly equipped by the Act to participate in national, regional, and municipal level discussions; this means adequate resources for consultations, a formal mechanism for consultations at the national level and inclusion that is proportionate to the number of English-speakers in Quebec.



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The equality of English and French in Canada must be evident in a modern Official Languages Act; it must not be written in a way that differentiates the approach for either language. There can be no separate status for Canada's English and French minority language speakers.



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Sources

JPocock Research Consulting. *2016 Census, Statistics Canada. Population in private households - 25% sample.*
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Official Languages Act (R.S.C., 1985, c. 31 (4th Supp.))

Quebec Community Groups Network. *English-speaking Quebec and the Modernization of the Official Languages Act.* Brief Submitted to the Standing Senate Committee on Official Languages Study on Canadians' Views about Modernizing the Official Languages Act May 28, 2018