

1 SCOPE

1.1 Authority

- a) This policy is issued by the Deputy Ministers' Review Committee under the authority of section 2.1.4 of General Administration Manual (GAM) Policy 1.1 – Maintenance of General Administration Manual.

1.2 Application

This policy applies to all departments, as defined in General Administration Manual (GAM) Policy 1.1. It also applies to offices prescribed in the *Prescribed Offices Regulation* made under the *Languages Act*.

1.3 Definitions

The following definitions only apply within the present policy.

- a) **designated bilingual position:** a position established under the *Public Service Act* for which the incumbent must fulfill French-language proficiency requirements outlined in the Bilingual Staffing Guidelines, or any other replacement to those guidelines, developed by the Government of Yukon's Public Service Commission.
- b) **francophone community:** the body of members of the public (including corporations) in Yukon who choose to access services and communications in French, irrespective of their capacity to use English.
- c) **head or central office:** a Government of Yukon office that:
 - i. is the sole or primary office of a government department or institution; and
 - ii. as a general rule, has the mandate to service the territory as a whole.

¹ Formerly French Language Policy. 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.

- d) **other office:** a Government of Yukon office for which:
 - i. there is significant demand for communications and services in both English and French; or
 - ii. due to the nature of the office, it is reasonable that communications and services be in both English or French.
- e) **prescribed office:** an office prescribed by the Commissioner in Executive Council under the *Languages Act*.
- f) **stakeholder:** an individual or organization who is a delegate or a representative of a government, organization, association, or group with an interest in French-language services and communications in Yukon.

1.4 Purpose

The purpose of this policy is to promote a consistent approach across departments for the provision of French-language services and communications in accordance with the *Languages Act*.

1.5 Guiding principles

- a) The *Languages Act* must be interpreted in a broad and purposive manner².
- b) The Government of Yukon provides services and communications in French to the public where those services and communications, including e-services, are available in English.
- c) English is the administrative language of work of the Government of Yukon.

² As recognized by Yukon Courts. (2007) 246 B.C.A.C. 159, 2007 YKCA 12
(https://yukoncourts.ca/sites/default/files/documents/en/2007ykca12e_kilrich_v_halotier.pdf)

2 POLICY IMPLEMENTATION

2.1 French-language service model

- a) The Government of Yukon provides services to, informs and communicates with the public in both English and French.
- b) The French-language service model of the Government of Yukon ensures that the public can access government services and communications in French that are comparable to those provided in English.
- c) This model comprises three key actions: 1) the active offer of services in English and French; 2) the delivery of French-language services to the public; and 3) the promotion of these services.
- d) The Guidelines on French-language services and communications assist departments in fulfilling their responsibilities under the *Languages Act* and provide guidance for:
 - i. offering, delivering and promoting services in French; and
 - ii. informing and communicating with the public in French.

2.2 French-language services memoranda of understanding

- a) Each department may enter into a French-language services memorandum of understanding (MOU) with the French Language Services Directorate (FLSD). MOUs identify activities to: plan, provide, assess, improve and report on French-language services and communications. They may include the following:
 - i. Objectives and outcomes related to the provision of French-language services and communications.
 - ii. Identification of designated points of service.
 - iii. A staffing plan for designated bilingual positions.
 - iv. Training to support the implementation of the French-language service model.
 - v. Key performance indicators to measure progress.
 - vi. Financial and non-financial support provided by FLSD.
- b) MOUs are revised annually to support new or amended programs and communication mandates.

2.3 Staffing and employment practices

- a) Staffing of designated bilingual positions is in accordance with the *Public Service Act* and the *Bilingual Staffing Guidelines*, or any other replacement to those guidelines, developed by the Government of Yukon's Public Service Commission.

- b) Designated bilingual positions are key to ensuring the provision of services in French.

2.4 Finances

Departments assume the costs related to the provision of French-language services and communications. MOUs with FLSD specify financial provisions for the cost recovery of communication products and salaries towards designated bilingual positions³. They can also include project-based financial contributions for initiatives aiming to improve access to services and communications in French.

2.5 French-language service complaint resolution mechanism

- a) The French-language service complaint resolution mechanism is a feedback tool to mitigate or remove factors hampering access to and use of French-language services and communications.
- b) The French-language service complaint resolution mechanism lets the public provide an account of:
 - i. the French-language service or information they received; or
 - ii. the lack of French-language services or information.
- c) To be admissible, complaints must relate to services or communications offered by head or central offices, prescribed offices or other offices of the Government of Yukon.

2.6 Annual report

- a) FLSD publishes the Government of Yukon's *Report on French-language services and communications* annually.
- b) The report presents the progress and results of the government's activities and initiatives to improve the provision of services and communications in French. It also includes a summary of the complaints submitted through the French-language service complaint resolution mechanism referred to in 2.5.

³ The Government of Canada has a responsibility for developing, enhancing and implementing French-language services and communications in Yukon. This responsibility is implemented through the Canada-Yukon Agreement on French-language services. FLSD administers this agreement.

3 ROLES AND RESPONSIBILITIES

3.1 Cabinet

Cabinet has an overarching responsibility for the objectives of the government's provision of French-language services and communications, and for policies related to the implementation of French-language services and communications.

3.2 Minister responsible for the French Language Services Directorate

The Minister responsible for the French Language Services Directorate is the member of Cabinet named as the Minister responsible for FLSD and the *Languages Act* (shared with the Executive Council Office), pursuant to the *Government Organization Act*.

3.3 Deputy Minister of the French Language Services Directorate

- a) The Deputy Minister of FLSD is responsible for:
 - i. overseeing, in accordance with the *Public Service Act*, the activities of FLSD; and
 - ii. signing the MOUs referred to in 2.2.
- b) The Deputy Minister of FLSD is also responsible for meeting at least three times a year with stakeholders to:
 - i. discuss the implementation of the *Languages Act*;
 - ii. identify and review strategic opportunities and actions to improve French-language services and communications; and
 - iii. ensure the Government of Yukon's initiatives related to the provision of services and communications in French are aligned with the Francophone community's priorities.
- c) The Deputy Minister of FLSD may ask another Deputy Minister from a department providing priority services to attend relevant meetings referred to in 3.3 b).

3.4 Deputy Ministers and Presidents

Deputy Ministers and Presidents are responsible for the provision of French-language services and communications within their department in accordance with the *Languages Act* and this policy, which includes:

- a) implementing the French-language service model;
- b) assisting FLSD in addressing complaints submitted through the French-language service complaint resolution mechanism referred to in 2.5; and
- c) signing their department's MOU referred to in 2.2.

3.5 French Language Services Directorate

- a) FLSD supports the provision of French-language services and communications across government by:
 - i. negotiating and managing the Canada-Yukon Agreement on French-language services;
 - ii. reporting to the Government of Canada on the implementation of the Canada-Yukon Agreement on French-language services;
 - iii. establishing MOUs;
 - iv. monitoring and assessing complaints submitted through the French-language service complaint resolution mechanism referred to in 2.5, and working with departments to address them;
 - v. liaising and engaging with other jurisdictions, the Intergovernmental Network on the Canadian Francophonie and other intergovernmental forums; and
 - vi. providing centralized services to departments such as:
 - a. translation, revision and proofreading;
 - b. management of the Government of Yukon's French-language web content;
 - c. support and advice on the identification, recruitment and staffing of new and existing designated bilingual positions;
 - d. French language proficiency assessments of employees and candidates;
 - e. French language training;
 - f. training and support to implement the French-language service model; and
 - g. access to interpretation services.
- b) FLSD is also responsible for engaging with stakeholders to identify service priorities and establishing a strategic plan every three years.

3.6 The Public Service Commission

- a) The Public Service Commission:
 - i. develops personnel policies to support compliance with the *Languages Act* and implements them in conjunction with departments; and
 - ii. provides support and advice with respect to the recruitment for designated bilingual positions.
- b) Additional responsibilities are outlined in the Bilingual Staffing Guidelines, or any other replacement to those guidelines, developed by the Government of Yukon's Public Service Commission.