



Government
of Canada

Gouvernement
du Canada

**Language of Work in Federally Regulated
Private Businesses in Quebec not subject to
the *Official Languages Act***

March 8, 2013

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Summary

In Quebec, there are two separate frameworks governing language of work that apply to different categories of businesses and workers: the *Official Languages Act* (OLA), which covers all "federal institutions" (i.e., institutions of Parliament and the Government of Canada), and the *Charter of the French Language* (Quebec Charter), which applies to all provincially regulated workplaces. Approximately 135,000 employees at some 1,760 federally regulated private businesses in Quebec are not currently subject to the OLA or the Quebec Charter.

This report endeavours to determine the place occupied by the French language in those 1,760 Quebec businesses. The report is divided into three parts. Part I gives a statistical profile of the use of French in the federally regulated private sector in Quebec, while Part II provides a summary of the consultations carried out with key stakeholders. Finally, Part III describes best practices with regard to language of work.

In order to present a profile of federally regulated workers in Quebec, a statistical analysis was carried out. Although the data used in this analysis call for careful interpretation and do not differentiate between a company's internal and external communications, a number of facts could be established.

The statistical analysis allows us to conclude that French remains the language of work for the majority of workers in Quebec, including those in federally regulated businesses. It also appears that bilingualism is very much in evidence in the Montreal area and that it is more common in federally regulated industries, particularly in rail and air transport and in telecommunications. Given the nature of their activities, it is likely that employees in these industries communicate in English more frequently with persons and organizations outside Quebec.

Furthermore, close to 38 percent of federally regulated businesses with 100 or more employees, not subject to the OLA, have voluntarily obtained a francization certificate from l'Office québécois de la langue française (OQLF). These businesses employ about 55 percent of federal jurisdiction employees of companies with 100 or more employees. This finding supports the hypothesis that internal linguistic practices at federally regulated businesses are very similar to those observed in provincially regulated businesses.

As well, a number of stakeholders from the business community and unions were consulted to determine whether employees are able to work in French, whether their work tools are available in French and whether they are able to communicate with their supervisors and with one another in French.

The federally regulated employers consulted confirmed that their employees are able to work in French. Work tools are generally available in French, with the exception of specialized materials available only in English. Some employers also mentioned the importance of employees being bilingual so that they could communicate with the head office (if located outside Quebec or abroad), with suppliers or with clients. Employees are also able to communicate with their supervisors in French. Lastly, while few companies have adopted an internal language policy, many of them promote French in their workplaces.

For their part, union representatives made observations that were similar to those reported by employers, notably that in general, employees are able to work in French, that work tools are available in French (immediately or later) and that employees can communicate with their supervisors in French. However, many noted an increase in bilingualism in the Montreal area. Some also noted that certain tasks and some communications with senior management are more often conducted in English if the head office is situated outside Quebec.

In summary, although the available data must be interpreted with caution, we are able, in light of the data analysis and the information obtained from consultations with employer and union stakeholders, to conclude that employees of federally regulated private-sector businesses in Quebec (not subject to the OLA) seem generally able to work in French in their workplaces.

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Introduction

In Quebec, there are two parallel frameworks governing language of work for different categories of businesses and workers: the *Official Languages Act* (OLA) and the *Charter of the French Language* (Quebec Charter).

Canadian official languages policy, as reflected in the *Canadian Charter of Rights and Freedoms* and the OLA, is founded on the principle of equality of the two languages. The OLA sets out obligations relating to the use of both official languages within federal institutions (i.e., institutions of Parliament and the Government of Canada), in particular with respect to proceedings of Parliament, legislative instruments, the administration of justice, communications with and services to the public and language of work. The OLA also applies to current and former Crown corporations such as Air Canada, CN and various ports and airports. The OLA applies to some 76,000 employees in the public and private sectors in Quebec.

Every federal institution has a duty to ensure that all members of the public are able to communicate with and receive available services in either official language in the National Capital Region and regions designated as bilingual. The public's right to be served in the official language of its choice takes precedence over an employee's right to work in French or English.

According to the *Official Languages Act*, English and French are the languages of work in federal institutions. It is incumbent on these institutions, in the National Capital Region and in other designated bilingual regions to ensure that the work environment is conducive to the use of both official languages while allowing employees to use the official language of their choice. In Quebec, designated bilingual regions are: the Greater Montreal region and bilingual regions in other parts of Quebec (mainly situated in the Eastern Townships, the Gaspé and western Quebec). Elsewhere the language of work is French.

In designated bilingual regions, services for employees (for example, human resources) as well as work tools must be available in both languages. Institutions must also ensure that supervisors are able to communicate with their employees in both languages and that senior management is capable of functioning in French and English.

As for the Quebec Charter, it recognizes French as the official language of the province of Quebec. It applies to approximately 3.8 million workers. Its provisions apply to the legislature and the courts, civil administration, semipublic agencies, educational instruction, commerce and business and labour. The Quebec Charter sets out as a fundamental right, the right of workers in provincially regulated workplaces to perform their duties in French.

The Quebec Charter does not specifically regulate oral communication between an employer and an employee or between employees. However, the employer is required to draft written communications to staff in French, as well as offers of employment or promotion. Collective

agreements must be drafted in French and arbitration awards must be translated into French or English, as the case may be, at the request of one of the parties.

The Quebec Charter also permits the use of English (or another language other than French) for communications between businesses in Quebec and those situated outside of Quebec. The use of a language other than French as the language of operation is also permitted in head offices and research centres by special agreements with the Office québécois de la langue française (OQLF). In the case of head offices, the OQLF must be satisfied that communications outside of Quebec are substantial enough to justify the use of a language other than French. As of December 27, 2012, 53 special agreements with respect to headquarters and research centres have been signed.

It should be noted that both legislative frameworks take into consideration the relationship with the external environment, and require that the need for proficiency in French and English for a particular position be demonstrated.

In Quebec, approximately 135,000 private sector employees at some 1,760 federally regulated companies are not covered by either the OLA or the Quebec Charter.

This document analyzes the place occupied by the French language in private sector workplaces that are under federal jurisdiction in Quebec and that are not subject to the OLA.

The document is divided into three parts. Part I provides a statistical profile of the use of French in the federally regulated private sector in Quebec. Part II provides a summary of consultations carried out with selected stakeholders. The objective of the consultations was to determine, among other things, whether employees in the workplaces concerned are able to work in French, whether work tools are available to them in French and whether they are able to communicate with their supervisors and with one another in French. Part III describes best practices with regard to language of work.

Part I: Statistical profile

1. Federally regulated private-sector companies in Quebec

In Canada, regulatory authority over labour is divided between the federal government and provincial and territorial governments.

Activities that fall under federal jurisdiction include international and interprovincial transport (by air, rail, road and marine); postal services and pipelines; telecommunications and radio broadcasting; banking; grain handling; undertakings declared by Parliament to be for the general advantage of Canada, such as uranium mining and processing; and Crown corporations (such as Via Rail and Canada Post).

In 2011, approximately 8,600 companies fell under federal jurisdiction, representing 31,000 workplaces and close to 840,000 employees, or 6.4 percent of all employees in the non-government sector in Canada.

According to the data from the 2008 Federal Jurisdiction Workplace Survey and the Legislated Employment Equity Program, Quebec accounts for approximately 1,780 of all companies, and 171,000 of all employees under federal jurisdiction. The 171,000 employees under federal jurisdiction represent approximately 4.4 percent of all employees (3,950,000) in Quebec.

In addition, close to 89 percent (151,500) of employees under federal jurisdiction in Quebec work for companies that employ 100 or more employees. These companies however, represent only 8 percent of federally regulated businesses in Quebec. Approximately 64 percent (1,130) of all companies in Quebec operate in the field of road transport and 83 percent of them (942) have fewer than 20 employees.

Of the 171,000 employees under federal jurisdiction in Quebec, close to 36,400 work for some twenty Crown corporations (Via Rail, Canada Post, etc.) and former Crown corporations (Air Canada, Canadian National, etc.) subject to the OLA (see Table 1).

The 134,600 remaining employees work at 1,760 private companies that are not subject to language legislation, be it the OLA or the Quebec Charter. Of that number, 115,426 employees work at 146 companies with 100 or more employees.

Table 1 – Employees under federal jurisdiction in Quebec subject and not subject to the *Official Languages Act*

| | Subject to the OLA | Not subject to the OLA | Total |
|---|--------------------|------------------------|----------------|
| 100 or more employees | 36,115 | 115,426 | 151,541 |
| - Air transport | 8,830 | 8,324 | 17,154 |
| - Rail transport | 5,210 | 1,725 | 6,935 |
| - Road transport | 0 | 14,279 | 14,279 |
| - Marine transport | 533 | 3,009 | 3,542 |
| - Postal services / pipelines | 15,703 | 6,344 | 22,047 |
| - Banking | 839 | 36,861 | 37,700 |
| - Flour, seeds, etc. | 0 | 938 | 938 |
| - Telecom. / radio broadcasting | 4,306 | 34,744 | 39,050 |
| - Other (uranium, etc.) | 694 | 9,202 | 9,896 |
| Fewer than 100 employees | 300 | 19,201 | 19,501 |
| Total | 36,415 | 134,627 | 171,042 |
| Source: Legislated Employment Equity Program, Labour Program (2008) (HRSDC); Federal Jurisdiction Workplace Survey (2008) | | | |

Our research indicates that 55 of those 146 companies not subject to the OLA (close to 38 percent) have obtained a francization certificate from the OQLF¹ on a voluntary basis (since they are not subject to the Quebec Charter). A list of those companies can be found in Annex I. Those 55 companies employ 63,411 people, or roughly 55 percent (63,411/115,426) of all employees working at federally regulated businesses in Quebec that have 100 or more employees and that are not subject to the OLA.

The rate of OQLF certification for federally regulated businesses with 100 or more employees not subject to the OLA varies by industry. So, 18 of the 88 companies in the transport sector (about 20 percent) hold francization certificates from the OQLF. More particularly, 30 percent of companies in road transport and 22 percent in maritime transport have obtained certificates. One of two companies in rail transport and none in air transport have obtained certificates.

The following sectors are among those sectors with the highest rates of certification: banking (67 percent of companies are certified) and telecommunications and radio broadcasting (64 percent), postal services and pipelines (50 percent), flour, seeds etc. (80 percent) and other industries (60 percent).

Every year, the OQLF compiles the number of complaints related to the requirements of the Quebec Charter. In 2011-2012 the OQLF received 4,067 complaints and 3 percent of these were related to language of work.

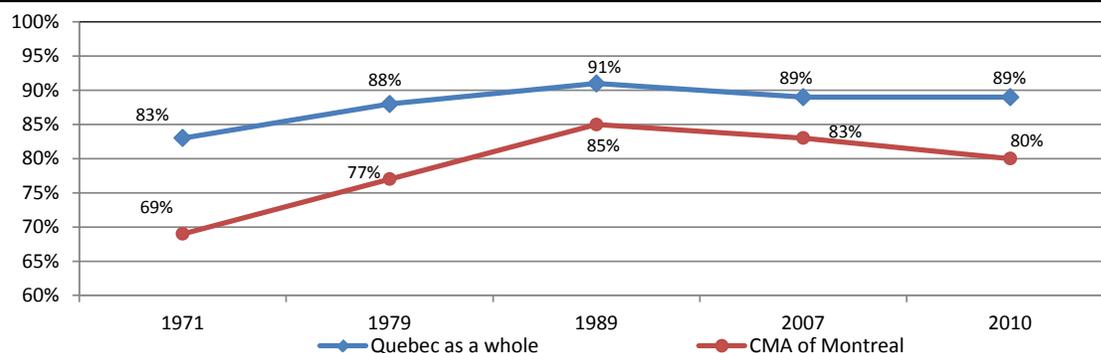
¹ According to the Quebec Charter, businesses employing 50 or more people must obtain a francization certificate from the OQLF. However, research in this report is limited to federal jurisdiction companies with 100 or more employees given that data is not available to allow us to produce an exhaustive list of federal jurisdiction employers with 50 to 100 employees.

2. Overall situation with respect to language of work in Quebec

According to Statistics Canada data from the 2006 Census, 95.8 percent of all Francophone Quebecers reported using French at work "most often". Only 0.8 percent never work in French, while approximately 70 percent never work in English.

A recently published OQLF study on language-of-work practices in Quebec in 2010 (Presnukhina, 2012) indicates that the use of French has progressed overall during the past 40 years, as has bilingualism at work, in particular in the Montreal Census Metropolitan Area (CMA).² Between 1971 and 2010, the percentage of workers using French at work half the time or more rose from 83 to 89 percent in Quebec as a whole, and from 69 to 80 percent in the Montreal CMA (see Chart 1).³ However, between 1989 and 2010 the use of French at work decreased slightly (by 2 percentage points) in Quebec as a whole and by 5 percentage points in the Montreal CMA.

Chart 1 – Percentage of workers using French at work half the time or more, Quebec as a whole and Montreal CMA, 1971-2010



Source: Presnukhina, 2012, Charts 16 and 17

In 2010, 37 percent of workers in Quebec as a whole never use English in their work, while 17 percent of the population used English at work half the time or more (see Table 2). The situation is different on the Island of Montreal, where close to 33 percent of workers used English at work half the time or more, as compared with 8 percent in the case of Quebec workers outside the Island of Montreal.

Less than 4 percent of workers in Quebec use a language other than French or English in their work. On the Island of Montreal, 7 percent of workers say they use one or more third languages at work.

² The Montreal CMA includes the Island of Montreal and its neighbouring municipalities.

³ The data for 2010 come from a survey of 4,344 persons by Léger Marketing for the Conseil supérieur de la langue française. The data for previous years come from different surveys carried out for the Gendron Commission (1971), the Conseil de la langue française (1979 and 1989) and the OQLF (2007). Although the same question was asked, the time comparisons for those data must be interpreted with caution, as the methodologies used for each survey were not identical, the territorial boundaries were different in some cases and the non-response rate was fairly high in 2010 (Presnukhina, 2012, p. 39).

Table 2 – Use of English and third languages as languages of work, Island of Montreal, Quebec outside the Island of Montreal, Quebec as a whole, 2010

| | Island of Montreal | Quebec outside the Island of Montreal | Quebec as a whole |
|---|--------------------|---------------------------------------|-------------------|
| Use of English | | | |
| - 0% (never) | 17.9 | 47.0 | 36.9 |
| - 1% to 49% (occasionally) | 48.9 | 45.0 | 46.3 |
| - 50% to 100% (regularly) | 33.1 | 8.0 | 16.7 |
| Use of third languages | | | |
| - 0% (never) | 93.7 | 97.4 | 96.2 |
| - 1% to 49% (occasionally) | 5.6 | 2.5 | 3.6 |
| - 50% to 100% (regularly) | 0.7 | 0.1 | 0.3 |
| Source: Presnukhina, 2012, Table 4 | | | |

The Institut de la statistique du Québec data reveal a stronger concentration of national and international economic activity in the Montreal area than in the rest of Quebec. For example, the Island of Montreal generated 34 percent of Quebec's gross domestic product in 2010 and 36 percent of Quebec's exports in goods and services to other countries and other provinces in 2007.

3. Use of French in federally regulated businesses in the Montreal area

The study carried out on behalf of the OQLF found a lower rate of use of French in the Montreal CMA and also noted that the vast majority of Anglophones and allophones were working in that region.⁴

In light of these facts, it is important to analyze in greater detail the use of French and English in federally regulated businesses in the Montreal CMA using the data from the 2006 Census. We note nonetheless that the 2006 Census data entail a certain margin of error owing to the fact that it is impossible to clearly distinguish between employees of federally regulated businesses and those who work for provincially regulated businesses and to separate out employees who are subject to the OLA. In addition, the Census data do not yield any information concerning the circumstances in which languages are used at work. For example, the data are silent on whether or not collective agreements or work tools exist in French and they do not differentiate between service to the public and internal communications. Even though the data used in this analysis call for careful interpretation, a number of facts can be established.

According to the 2006 Census, approximately 71 percent of employees working in federally regulated businesses in the Montreal CMA reported using mainly French at work, while 20 percent used mainly English. Those linguistic practices are similar to those observed for provincially regulated businesses located in the Montreal CMA. Although French remains the

⁴ According to the 2011 Census data, close to 50 percent of the Montreal population reported French as their mother tongue, 13 percent English and 33 percent a third language. In comparison, French was the mother tongue of approximately 78 percent of the population of Quebec as a whole, while for 8 percent it was English and for 12 percent a third language. In addition, 4 percent of Montrealers and 2 percent of the population of Quebec as a whole reported having more than one mother tongue.

language of work primarily used, the use of both languages in federally regulated industries (60 percent) is more common than in provincially regulated industries (47 percent).

Table 3 – Language¹ of work used in federally regulated businesses² in the Montreal CMA, according to language spoken at home, by industry, 2006

| Language spoken at home | All language groups | | | Mainly French | | | Mainly English | | | Both languages | | | Allophones | | |
|---|---------------------|----------------|----------------|---------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|---------------|----------------|----------------|
| Language spoken at work | Mainly French | Mainly English | Both languages | Mainly French | Mainly English | Both languages | Mainly French | Mainly English | Both languages | Mainly French | Mainly English | Both languages | Mainly French | Mainly English | Both languages |
| | % | % | % | % | % | % | % | % | % | % | % | % | % | % | % |
| Total federal industries² | 71 | 20 | 60 | 85 | 9 | 55 | 26 | 62 | 75 | 51 | 30 | 89 | 36 | 44 | 50 |
| - Air transport | 62 | 26 | 66 | 78 | 13 | 64 | 18 | 69 | 73 | 41 | 38 | 91 | 40 | 39 | 62 |
| - Rail transport | 55 | 37 | 66 | 72 | 21 | 68 | 23 | 69 | 63 | 48 | 37 | 86 | 11 | 68 | 42 |
| - Road transport | 79 | 14 | 46 | 90 | 5 | 42 | 22 | 67 | 69 | 55 | 26 | 84 | 32 | 49 | 39 |
| - Marine transport | 68 | 26 | 50 | 87 | 11 | 48 | 16 | 75 | 56 | 48 | 34 | 88 | 38 | 56 | 31 |
| - Postal services / pipelines | 78 | 15 | 49 | 90 | 5 | 42 | 32 | 52 | 75 | 57 | 24 | 86 | 42 | 43 | 43 |
| - Banking | 74 | 17 | 62 | 87 | 7 | 55 | 32 | 53 | 85 | 55 | 27 | 91 | 47 | 32 | 64 |
| - Flour, seeds, etc. | 62 | 29 | 56 | 85 | 8 | 54 | 18 | 73 | 66 | 46 | 35 | 85 | 27 | 60 | 28 |
| - Telecom./radio broadcasting | 71 | 20 | 69 | 82 | 11 | 68 | 29 | 58 | 78 | 54 | 28 | 92 | 33 | 44 | 55 |
| Total provincial industries | 73 | 20 | 47 | 90 | 5 | 42 | 20 | 69 | 66 | 54 | 29 | 82 | 41 | 40 | 37 |
| Total | 73 | 20 | 49 | 90 | 6 | 44 | 21 | 68 | 67 | 54 | 30 | 83 | 41 | 41 | 38 |

¹ Language categories are not mutually exclusive: "mainly French" represents the total of the "French only" and "more French than English" categories; "mainly English" represents the total of the "English only" and "more English than French" categories; "both languages" represents the total of the "more French than English", "English and French" and "more English than French" categories.

² The 2006 Census data entail a certain margin of error owing to the fact that it is impossible to clearly distinguish between employees of federally regulated businesses and those who work for provincially regulated businesses and to separate out employees who are subject to the OLA. In addition, the sectors that include businesses that Parliament has deemed to be of national interest for Canada (such as uranium) are not included in this analysis because of an overrepresentation of such workers in the Census data.

Source: Statistics Canada, Census of Population, 2006 (unpublished data)

The use of French is most common in road transport (79 percent), postal services (78 percent) and banking (74 percent). French is less predominant in the rail transport (55 percent) and air transport (62 percent) sectors. A higher rate of bilingualism is noted in those two sectors (as well as in telecommunications), a finding that could be explained by the fact that employees are more likely to come into contact with clients and suppliers from outside Quebec.

Table 3 reveals that Francophones and Anglophones have a tendency to work in their own language, while allophones are fairly evenly divided between the use of French, English and both languages. It should be noted that Anglophones are more likely to use both languages. That observation is in keeping with a trend throughout Quebec where the use of French at work by Anglophones increased from 65 to 68 percent between 2001 and 2006 (according to the 2008 Statistics Canada study on the use of languages in the workplace in Canada derived from the 2006 Census).

4. Use of language of work according to certain socio-demographic characteristics

Table 4 below provides a breakdown of workers by language of work and certain socio-demographic characteristics. Analysis of the use of language at work by sex or age group does not reveal any significant differences. It is nonetheless noted that the rate of use of both languages is higher for the 25 to 44 age group. Although a majority of respondents indicated that they used French as their primary language, it can be seen that, the higher the level of education, the less likely it is that French will be used as the primary language and the higher the rate of usage of English and both languages (Houle, Corbeil and Charron, 2012).

Table 4 – Use of languages¹ at work based on certain socio-demographic characteristics, population working in the Montreal CMA and the rest of Quebec (2006)

| Variable | Characteristic | Montreal CMA | | | Quebec outside the Island of Montreal | | |
|---|----------------------|---------------|----------------|----------------|---------------------------------------|----------------|----------------|
| | | Mainly French | Mainly English | Both languages | Mainly French | Mainly English | Both languages |
| | | % | % | % | % | % | % |
| Total | | 73 | 20 | 49 | 90 | 8 | 24 |
| Sex | Female | 74 | 19 | 47 | 90 | 7 | 22 |
| | Male | 72 | 20 | 51 | 89 | 8 | 25 |
| Age group | 15-24 | 75 | 17 | 49 | 91 | 6 | 21 |
| | 25-34 | 71 | 21 | 54 | 89 | 8 | 28 |
| | 35-44 | 71 | 21 | 51 | 88 | 9 | 27 |
| | 45-54 | 76 | 18 | 45 | 91 | 7 | 21 |
| | 55 or over | 72 | 20 | 44 | 90 | 8 | 21 |
| Level of education (25 years and over only) | No degree or diploma | 78 | 15 | 29 | 91 | 6 | 13 |
| | High school | 72 | 20 | 48 | 89 | 8 | 24 |
| | Vocational training | 82 | 11 | 43 | 93 | 4 | 19 |
| | College/CEGEP | 73 | 20 | 55 | 89 | 8 | 29 |
| | Undergraduate | 68 | 25 | 55 | 86 | 12 | 33 |
| | Masters, doctorate | 63 | 30 | 56 | 81 | 16 | 38 |
| ¹ Language categories are not mutually exclusive: "mainly French" represents the total of the "French only" and "more French than English" categories; "mainly English" represents the total of the "English only" and "more English than French" categories; "both languages" represents the total of the "more French than English", "English and French" and "more English than French" categories. | | | | | | | |
| Source: Houle, Corbeil and Charron, 2012, Table 1.5a and 1.5b (Statistics Canada, Census of Population, 2006). | | | | | | | |

Overview

Analysis of the 2006 Census data reveals that French remains the primary language of work for the majority of Quebec workers, including those who work for federally regulated businesses. Although it is not possible to distinguish between a company's internal and external communications, analysis of the use of languages at work in federally regulated businesses in the Montreal CMA reveals that their linguistic practices are very similar to those observed at provincially regulated businesses.

It also appears that bilingualism is very much in evidence in the Montreal area and that it is more common in federally regulated industries, particularly in the rail and air transport and telecommunications sectors. Given the nature of their activities, it is likely that employees in

those industries communicate more frequently in English with persons and organizations outside of Quebec.

The study also revealed that, of the 146 largest federally regulated businesses in Quebec with 100 or more employees, 55 (38 percent) obtained francization certificates from the OQLF.

The percentage of employees covered by a francization certificate is 55 percent.

In summary, although the available data must be interpreted with caution, this analysis suggests employees of federally regulated private-sector businesses in Quebec (not subject to the OLA) seem generally able to work in French in their workplaces.

Part II: Consultations

In order to evaluate the place occupied by the French language in federally regulated workplaces, 12 businesses, 5 employer associations and 5 unions were consulted. Those businesses and employer associations employ approximately 54 percent of all federally regulated employees in Quebec who are not subject to the OLA.

1. Consultations with employers

The following five questions were put to employers in order to determine, among other things, whether employees are able to work in French, whether their work tools are available in French and whether they are able to communicate with their supervisors and with one another in French:

1. To what extent are your employees able to work in French?
2. Are work tools (software, manuals, etc.) always available in French?
3. Can workers in Quebec communicate with their supervisors in French?
4. What language do you use to communicate with your employees?
5. Has your business or organization adopted a formal or informal internal policy concerning language of work (best practices)? What measures have been the most effective?

Question 1: To what extent are your employees able to work in French?

- Two companies stated that French was the only language of work. All of the other businesses consulted indicated that the vast majority of their employees were able to work in French and that French was the language of work used most often but that English was also used at work as needed.
- Many of those consulted mentioned frequent communication outside the province, (with a branch, a head office, suppliers or clients) in explaining why some of their managers, supervisors or employees needed to use English in their work. One employer also indicated that some of its divisions operated more often or almost exclusively in English for those reasons but that human resources and administrative services operated in French.
- Most of those consulted noted that in addition to proficiency in French, client service required the use of English as clients had to be served in the language of their choice.
- Many companies also indicated that they actively promoted French as the language of work.

Question 2: Are work tools (software, manuals, etc.) always available in French?

- In most of the businesses, electronic work tools are available in French except when a specialized version of a particular software program does not exist in French. According to

some employers, on occasion the French version is not immediately available or is of lesser quality. One employer said that it had received a complaint about a software program that was not available in French but that it had acted quickly to rectify the problem.

- In cases when a company's head office is located in another province or outside Canada, it is possible that employees of the Quebec branch have to use the same work tools in English as those used at the head office.
- Some employers stated that some internal documents are not always translated into French, in particular those from outside Quebec. Two stakeholders indicated that they always made a point of providing health and safety instructions in both languages.

Question 3: Can workers in Quebec communicate with their supervisors in French?

- In the vast majority of cases, internal communications between supervisors and employees take place in French.
- Some employees, and executives in particular, must communicate in English if the head office or members of management are located outside Quebec or are not bilingual.
- Two employers said they offered language training: one to its English-speaking managers, the other to all employees to promote bilingualism.

Question 4: What language do you use to communicate with your employees?

- In most cases, communications with employees take place in French unless they are with an Anglophone. One employer said that the language used internally was left up to the employee and that both official languages were used in external communications as needed.
- A number of those consulted indicated that communications in English from head office were translated if they were to be distributed to employees. On the other hand, three employers stated that all their documents were written in French and translated into English if required. Yet another indicated that it systematically relied on translation for unionized employees.
- If employees are located elsewhere in Canada or the United States, English is used to communicate with those employees.

Question 5: Has your business or organization adopted a formal or informal internal policy concerning language of work (best practices)? What measures have been the most effective?

- Most of the businesses indicated that they did not have an internal policy on language of work. Some businesses noted that they had internal policies intended to promote and ensure the use of French at work while allowing clients to be served in the language of their choice.

Two stakeholders observed that their policy enabled them to respond satisfactorily to complaints.

- Some mentioned that they held a francization certificate from the OQLF. If any problems were identified in the context of the certification process, corrective measures were taken.
- One business indicated that it had a policy on external communications (informational materials, website, client service): they must be bilingual.
- For the majority of those consulted, bilingualism was considered an asset. According to one stakeholder, language of work does not present a problem, because workers are increasingly becoming bilingual; they have the opportunity to use French and English in their workplaces.
- According to two stakeholders, few small and medium-sized enterprises (SME) have a policy on language of work. The economic reality for such businesses is that, the smaller they are, the more difficult it is to do business in other provinces or abroad while maintaining exclusively French-speaking teams.

2. Consultations with unions

Union representatives were asked questions similar to those put to employers and employer associations. Union representatives provided similar responses to those of employers, notably that, in general, their members were able to work in French, that their work tools were available in French (immediately or later) and that they could communicate with their supervisors in French.

However, many noted an increase in bilingualism in the Montreal area and one union representative questioned the need for companies to have so many bilingual positions.

Three of the union representatives indicated that English is also used in some workplaces or for certain tasks in some workplaces (e.g. accounting). Some also mentioned that some communications with senior management were done more often in English, particularly if the company headquarters was situated outside Quebec.

One representative noted that unions had been receiving a growing number of inquiries from workers concerning the language of work in Quebec. However, none of the union representatives indicated that they had received any official complaints regarding this issue.

Overview

The employers consulted all stated that their employees are able to work in French. Work tools are generally available in French, with the exception of specialized materials available only in English. Some employers also stressed the importance of employees being bilingual so that they could communicate with head office (if located outside Quebec or outside Canada), suppliers or

clients. Employees can communicate with their supervisors in French. Lastly, while not many companies have an internal language policy, it seems that many of them promote French in their workplaces.

For their part, union representatives made observations that were similar to those reported by employers. For example, they noted that their members are generally able to work in French, that their work tools were available in French (immediately or later) and that they could communicate with their supervisors in French. However, many noted an increase in bilingualism in the Montreal area. Some also noted that certain tasks and communications with senior management are more often done in English if the company headquarters is situated outside of Quebec.

Part III: Best practices

During the consultations a number of businesses reported that they had actively promoted French as the language of work and some best practices should be highlighted: the production of internal documents in French; the availability of French intranet sites; access to administrative services and human resources in French; the offering of language training to employees; the availability of collective agreements in French; and the existence of a labour management committee which examines questions referred to it on the use of the French language, in order to identify corrective measures.

At the same time, research was undertaken on best practices employed by federal jurisdiction enterprises in Quebec related to language of work. Over the course of this research, the practices of some businesses are highlighted below.

TELUS Communications won first place at the *Grand Gala des Mérites du français* awards ceremony (2008) in the large organization category for its translation unit's *Parlez TELUS* lexicon. The gala recognized TELUS for the importance it attached to the promotion and proper use of the French language.⁵

Another example of a company that promotes French is Purolator, which has offered bilingual client service 24 hours a day, seven days a week, since 1998. The company has also been making an effort in a number of different areas, from client service to community involvement, by supporting activities in French (Source: Purolator website).

In his *Annual Report 2011-2012*, the Commissioner of Official Languages noted that numerous Canadian and international businesses set themselves apart through their efforts to meet the needs and expectations of Francophones and Anglophones and that others were working to make improvements in this area.

The Commissioner cites the example of Rogers, which has held OQLF certification since 1993 and which has distinguished itself by its best practices, including with regard to serving customers and offering its employees training in the language of their choice. The report notes that the company has created an official languages committee responsible for establishing rules and procedures regarding language and for putting them into effect.⁶ In the past two years Rogers has received only two complaints regarding language of service, a success attributed to the company's diligent and ongoing efforts.

⁵ TELUS Communications, *Grand gala des Mérites du français* award– March 2008, About us, Company overview, Our Awards, Our team member awards. Page consulted on November 27, 2012.
http://about.telus.com/community/english/about_us/company_overview/telus_awards/team/blog/2011/03/02/grand-gala-des-m%C3%A9rites-du-fran%C3%A7ais-award-march-2008

⁶ Office of the Commissioner of Official Languages, *Annual Report 2011-2012*, p. IV and p. 30. Page consulted on November 22, 2012.
http://www.ocol-clo.gc.ca/docs/e/ar_ra_2011_12_e.pdf

Conclusion

The purpose of this document was to analyze the place occupied by the French language in private sector federal jurisdiction workplaces in Quebec that are not subject to the OLA.

This study provides us with a portrait of private sector employees in the federal jurisdiction and indicates that Quebec accounts for approximately 1,780 of all companies, and 171,000 of all employees under federal jurisdiction. Amongst those 171,000 employees close to 36,400 work for some twenty Crown corporations and former Crown corporations subject to the OLA. The 134,600 remaining employees work at 1,760 private companies that are not subject to language legislation, be it the OLA or the Quebec Charter. Of these 134,600 employees 63,411 work for a company with 100 or more employees that has voluntarily obtained certification from the OQLF.

The statistical analysis conducted for this study indicates that French remains the language of work for the majority of workers in Quebec, including those at federally regulated businesses. On the other hand, bilingualism is very much in evidence in the Montreal area. The strong concentration of businesses in the Montreal area operating at the national and international level can account for the more frequent use of both official languages in the workplace. It also appears that bilingualism is more common in certain federally regulated industries, particularly rail and air transport as well as telecommunications. Given the nature of their activities, it is likely that employees in those industries communicate more frequently in English with persons and organizations from outside Quebec.

That said, it seems that internal linguistic practices at federally regulated businesses are very similar to those observed in provincially regulated companies.

The consultations carried out with selected employers and unions indicate that generally, employees are able to work in French, that their work tools are most often available in French and that they are able to communicate with their supervisors and with one another in French. Some stakeholders confirmed that employees are more often called upon to use English in their work when head offices, suppliers or clients are from outside the province or are English-speaking. As previously mentioned, the Quebec Charter and the OLA take into consideration the relationship with the external environment.

The majority of stakeholders mentioned the growing requirement for bilingualism especially in the Montreal area.

In summary, in light of the statistical analysis and the feedback received from consultations with stakeholders from business and labour organizations, it is possible to conclude that employees of federally regulated private-sector businesses in Quebec (not subject to the OLA) are employed in workplaces in which they are generally able to work in French. In effect, French is the language

of work for the majority of employees in Quebec who work for either federally or provincially regulated companies.

Given the concentration of national and international economic activity in the Montreal area, bilingualism is an important element as it relates to certain workplaces and certain activities such as client service, and communications with partners and suppliers outside of Quebec. This is particularly evident in the rail and air transportation sectors, which serve national, North American and international markets.

Nevertheless, it remains that the linguistic practices of private-sector companies in federal and provincial jurisdiction are very similar, that French seems to be the language of work and of internal communications in federal jurisdiction private-sector companies in Quebec, and that employees in these businesses can generally work in French and have access to work tools in French.

Annex I – List of 55 federally regulated private employers with 100 or more employees in Quebec holding a francization certificate from the Office québécois de la langue française

| Year of certification | Company | Industry | Number of employees in Quebec in 2008 ⁷ |
|-----------------------|---|---|--|
| 1992 | Bell Canada | Telecommunications and radio broadcasting | 10,213 |
| 1986 | Videotron | Telecommunications and radio broadcasting | 4,136 |
| 1993 | Rogers Communications Inc. | Telecommunications and radio broadcasting | 2,955 |
| 1989 | Bell Mobility Inc. | Telecommunications and radio broadcasting | 2,218 |
| 1984 | Groupe TVA inc. | Telecommunications and radio broadcasting | 1,722 |
| 2002 | Bell ExpressVu Limited Partnership | Telecommunications and radio broadcasting | 674 |
| 2011 | Cogeco Câble Québec s.e.n.c. ⁸ | Telecommunications and radio broadcasting | 664 |
| 1988 | Astral Media Radio Inc. ⁹ | Telecommunications and radio broadcasting | 650 |
| 2004 | Expertech Bâtisseur de réseaux Inc. | Telecommunications and radio broadcasting | 547 |
| 1987 | V INTERACTIONS INC. | Telecommunications and radio broadcasting | 540 |
| 2001 | Réseau des sports (RDS) inc. | Telecommunications and radio broadcasting | 347 |
| 2010 | Tata Communications (Canada) ULC | Telecommunications and radio broadcasting | 323 |
| 2002 | Henri Sicotte inc. | Telecommunications and radio broadcasting | 305 |
| 2007 | MTS Allstream Inc. | Telecommunications and radio broadcasting | 304 |
| 1982 | RNC MEDIA INC. | Telecommunications and radio broadcasting | 259 |
| 2002 | MusiquePlus inc. | Telecommunications and radio broadcasting | 208 |
| 2007 | COGECO DIFFUSION INC. | Telecommunications and radio broadcasting | 138 |
| 2003 | Pelmorex Media Inc. | Telecommunications and radio broadcasting | 121 |
| 1985 | National Bank Financial Group | Banking | 12,230 |
| 1984 | Royal Bank of Canada | Banking | 7,111 |
| 1994 | Canadian Imperial Bank of Commerce | Banking | 3,059 |
| 1988 | Toronto-Dominion Bank | Banking | 2,977 |
| 1989 | Scotiabank | Banking | 1,924 |
| 2002 | Symcor inc. | Banking | 573 |
| 1983 | HSBC Bank Canada | Banking | 391 |
| 2006 | Société Générale (Canada Branch) | Banking | 111 |
| 2006 | United Parcel Service Canada Inc. | Postal services/pipelines | 1,434 |
| 1996 | Federal Express Canada Ltd. | Postal services/pipelines | 938 |
| 2008 | DHL Express (Canada) Ltd. | Postal services/pipelines | 234 |
| 1999 | Colispro inc. | Postal services/pipelines | 162 |
| 1981 | Transport Bourret inc. | Road transport | 431 |
| 1993 | Transport Morneau | Road transport | 429 |
| 2003 | NORMANDIN TRANSIT INC. | Road transport | 408 |
| 2008 | S.G.T. 2000 inc. | Road transport | 367 |
| 2005 | Systèmes Danfreight inc. | Road transport | 269 |
| 2001 | Jules Savard inc. | Road transport | 239 |
| 2002 | Allied Systems (Canada) Company | Road transport | 230 |
| 1999 | Transport Couture et fils ltée | Road transport | 227 |
| 2012 | Bessette & Boudreau inc. | Road transport | 187 |
| 1991 | Transport Galland | Road transport | 186 |
| 2006 | Transport Jacques Auger inc. | Road transport | 173 |

⁷ Sources: Data base for Legislated Employment Equity Program, Labour Program (Human Resources and Skills Development Canada), 2008. Office québécois de la langue française, Liste des entreprises nouvellement certifiées [List of newly certified businesses], 1979-2012.

⁸ Two other certified Cogeco subsidiaries: Cogeco Câble inc. (2011) and Cogeco Diffusion (2007).

⁹ Three other certified Astral subsidiaries: Groupe de radiodiffusion Astral (1999), Astral Media Plus Inc. (2010) and Astral Out Of Home (2010).

| | | | |
|------|--------------------------------|---------------------------|-----|
| 1999 | Autocars Orléans Express | Road transport | 165 |
| 1987 | L. Bilodeau et Fils ltée | Road transport | 134 |
| 1997 | Ryder Truck Rental Canada Ltd. | Road transport | 121 |
| 2000 | Gosselin Express ltée | Road transport | 111 |
| 1992 | QNS&L Railway | Rail transport | 428 |
| 1986 | C.T.M.A. Traversier ltée | Marine transport | 123 |
| 1982 | Verreault Navigation inc. | Marine transport | 102 |
| 1985 | Cargill Ltd. | Grain handling facilities | 162 |
| 2003 | PLB International Inc. | Grain handling facilities | 131 |
| 2003 | ADMI Agri-Industries ltée | Grain handling facilities | 121 |
| 2006 | Agribrands Purina Canada Inc. | Grain handling facilities | 104 |
| 1999 | Amex Canada Inc. | Other industries | 482 |
| 2004 | G4S Cash Solutions | Other industries | 394 |
| 1981 | Kolossal Security Services | Other industries | 217 |

Annexe II – List of stakeholders consulted

List of businesses consulted

- Air Transat
- Astral Media
- National Bank
- Laurentian Bank
- Bell Canada
- Canadian Pacific (CP)
- Élévateurs des Trois-Rivières Ltée
- Purolator
- Québecor Média
- Rogers
- Transport Guy Levasseur
- Transport Robert (1973) Ltée

List of employer associations consulted

- Canadian Bankers Association
- Board of Trade of Metropolitan Montreal
- Conseil du Patronat du Québec
- Federally Regulated Employers - Transportation and Communications (FETCO)
- Fédération des chambres de commerce du Québec

List of unions consulted

- Canadian Union of Public Employees
- Communications, Energy and Paperworkers Union of Canada
- Canadian Office and Professional Employees Union
- Syndicat des Métallos
- National Automobile, Aerospace, Transportation and General Workers Union of Canada (TCA)

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