



Ottawa, Canada K1A 0J9

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The Honourable Denis Paradis, M.P.
Chair, Standing Committee on Official Languages
House of Commons
Ottawa, Ontario
K1A 0A6

Dear Mr. Paradis:

The Government of Canada (the Government) thanks the members of the House of Commons Standing Committee on Official Languages (the Committee) for their Report and for providing recommendations to improve the offer of services in the minority language in adult literacy and essential skills, for the consideration of the House of Commons or the Government.

The attached Government Response to the recommendations identifies new initiatives and ongoing measures that directly address a number of the concerns raised by the Committee, and which will have a positive impact on Official Language Minority Communities (OLMCs) across Canada.

As Budget 2018 confirmed, the Government recognizes the challenges that OLMCs are facing, and has developed the Action Plan for Official Languages 2018-2023 (the Action Plan) to help address some of these challenges. As part of the Action Plan, the Government proposes an investment of \$410.0 million over five years, starting in 2018-2019, with \$90.4 million per year in ongoing funding. Combined with amounts included in Budget 2017 in support of Official Languages, this brings the total new investment in the Action Plan to \$499.2 million over five years. More specifically for Employment and Social Development Canada (ESDC), this means \$24.5 million in new funding over five years, with \$3.1 million per year ongoing in support for community organizations and early childhood development. In addition, ESDC will continue to invest \$80.5 million over five years in programs to increase local capacity, improve access to workplace literacy and essential skills training, and support economic development projects in OLMCs.

The Government is also committed to continuing to make progress on the recommendations made by the Office of the Commissioner of the Official Languages (OCOL) in October 2017, which are complementary to the Committee's recommendations. Upon receipt of the preliminary report from the Commissioner in December 2016, ESDC mandated the University of Ottawa Research Chairs in Canadian Francophonie to undertake a gap analysis to identify skills needs and to take stock of existing policies and available service offerings for OLMCs across Canada. While this work was in progress, ESDC maintained an open dialogue with the Réseau

pour le développement de l'alphabétisme et des compétences (RESDAC), the organization launching the complaint with the OCOL in 2015. While dialogue took place through 2017, RESDAC was supported by Canadian Heritage to conduct its Collective Impact initiative, which aimed at developing an integrated approach in Francophone OLMCs to tackle skills development issues and to produce long lasting positive impacts for these communities.

As mentioned at the Committee on February 7, 2018, ESDC also held a two-day consultation with 29 representatives from the Anglophone and Francophone OLMCs on March 19 and 20, 2018. The consultation encouraged open discussions on the holistic needs of OLMCs with a focus on identifying gaps and viable solutions.

As a result of these activities, ESDC is developing its multi-year strategy supporting literacy and essential skills training for adults living in OLMCs which will respond to many of the concerns raised by the Committee. The goal is to finalize the strategy in summer 2018 and communicate it to OLMC stakeholders in early fall 2018. ESDC will also continue working with its other federal partners as well as provinces and territories to develop solutions to some of the broader issues raised by the Committee.

As demonstrated through its commitments in Budget 2018 and the 2018-2023 Action Plan, the Government recognizes that OLMCs are an integral part of its history and identity and vital to its competitiveness in a globalized world. We will continue our dialogue with OLMC representatives and provincial and territorial governments to increase our understanding of the challenges facing those communities and the supports required to ensure our collective growth and success now and into the future.

Yours sincerely,



The Honourable Patty Hajdu, P.C., M.P.
Minister of Employment, Workforce Development and Labour

Introduction

Supporting Adult Literacy and Essential Skills

The Government of Canada works closely with provincial and territorial governments to support the integration of essential skills into employment and training programs, especially those that are supported by almost \$3 billion in federal labour market transfers such as the Labour Market Development Agreements and the newly created Workforce Development Agreements.

The Office of Literacy and Essential Skills (OLES) has an annual funding allocation of approximately \$25 million through the Adult Learning, Literacy and Essential Skills Program and the National Essential Skills Initiative. Funding primarily supports the replication and scaling up of effective training models to broaden public access to proven approaches that help workers meet employers' on-the-job expectations. Projects that are funded leverage provincial and territorial programming and support the development and testing of new models that address gaps and contribute to the continuous improvement of training and service delivery that is more responsive to worker and employer needs.

Particular attention is being paid to vulnerable populations such as Indigenous people, newcomers, youth, and Official Language Minority Communities (OLMC). Through programs such as the Aboriginal Skills and Employment Training Strategy and the Youth Employment Strategy, the Government of Canada is enhancing the availability of essential skills supports for those most in need.

December 2016 report from the Standing Committee on Official Languages, entitled *Toward a New Action Plan for Official Languages and Building New Momentum for Immigration in Francophone Minority Communities*.

In its report, the Committee recommended that Employment and Social Development Canada (ESDC) develop a pan-Canadian literacy and skills development strategy that is community-based and reflects the continuum of education and training in the minority language. The Committee specified that this strategy must include components that are distinct from those intended for the majority in order to specifically address the needs of OLMCs and immigrants.

The October 2017 Final Investigation Report of the Interim Commissioner of Official Languages (OCOL Report)

On October 12, 2017, ESDC received an Investigation Report in which the Commissioner stated that ESDC had not met the spirit of Part VII of the *Official Languages Act* when it changed its strategic direction, which they argued had not taken into account the realities of OLMCs, as well as the discontinuation of their core funding since June 2014. The Commissioner

recommended that by January 12, 2018, ESDC: 1) reassess its direction and eligibility criteria for literacy and essential skills funding to better take into consideration the specific needs and priorities of OLMCs in this area; and 2) assess the consequences of eliminating the core funding for the Réseau pour le développement de l'alphabétisme et des compétences (RESDAC) and its provincial and territorial network and take appropriate measures to mitigate any negative impacts.

In its response to the Commissioner on January 12, 2018, ESDC reiterated its concurrence with the two recommendations that had been shared with the Department in December 2016 through the preliminary report. The response explained how ESDC had undertaken research work with the University of Ottawa Research Chairs in Canadian Francophonie (the UofO Research) following the receipt of the preliminary report. Also, given that the Commissioner had highlighted the lack of formal consultation with OLMCs as a key issue leading to strategic change in directions for the OLMCs, ESDC committed to organizing a formal consultation to inform its funding approach.

March 19 and 20, 2018, ESDC consultation with OLMC representatives

On March 19-20, 2018, ESDC held a two-day consultation with 29 OLMC representatives. The consultation was developed and co-chaired by representatives from Anglophone and Francophone OLMCs. Federal representatives with a role in the continuum of training and education in the minority language, including various ESDC programs, Canadian Heritage and Immigration, Refugees and Citizenship Canada participated and presented at the consultation.

Responding to the Standing Committee on Official Languages

The Government of Canada is pleased to respond to the Committee's ninth Report, entitled *Adult Literacy and Skills Development: An Essential Component of the Education Continuum in Official Language Minority Communities*, which was tabled at the House of Commons on April 19, 2018.

Given the interrelation between some of the Committee's recommendations, the responses are grouped thematically. The Committee recommends that the Government place adult literacy and essential skills development in the education and training continuum and take a coordinated approach (recommendations one and four); change the program architecture and explore the possibility of reassigning the Ministerial responsibility for literacy and essential skills (recommendations two and three); and, adapt programs and funding to OLMCs' needs (recommendations five and six). The Committee made a final recommendation that the Department review its bilateral agreements to strengthen their OLMC provisions (recommendation seven).

The Response outlines the progress ESDC has made and steps it continues to take towards

strengthening its programs, highlights efforts in responding to the OCOL's recommendations, building a more collaborative relationship with OLMC stakeholders and demonstrates its ongoing commitment to finding new and innovative ways for continuous improvement of programs and services.

Placing adult literacy and essential skills development in the education and training continuum and taking a coordinated approach (recommendations one and four)

The Government of Canada, in collaboration with provinces and territories, plays an important role in supporting the continuum of education and training in the minority language. The Minority Language Education component of the Official Languages Funding Programs offered by Canadian Heritage aims to improve the provincial and territorial supply of programs and activities to provide education in the language of OLMCs, at all levels of education. The Minister of Employment, Workforce Development and Labour supports programs that improve access to workplace skills training opportunities which include literacy skills training for adults living in OLMCs. The Minister of Families, Children and Social Development supports projects that focus on family or community literacy.

At this point, the Government cannot respond directly to recommendations one and four. ESDC has held multiple discussions with other federal departments with a role in the continuum of training and education regarding skills development in OLMCs. On March 19-20, 2018, as part of the Department's efforts to develop its multi-year strategy for OLMCs, a two-day consultation was held with 29 OLMC stakeholders representing service delivery organizations as well as federal partners. ESDC and Canadian Heritage undertook discussions to clarify roles and responsibilities of key players in the minority language education and training continuum and are in the process of exploring possible approaches to address these recommendations.

Informed by the recent research work and consultations with OLMC stakeholders, ESDC is currently designing funding and project scenarios that are distinct from those intended for the majority communities and that take into consideration the skill needs of OLMCs. The scenarios being explored take into account that communities are best positioned to implement solutions that work best for them. The Department will return to the OCOL with a more fulsome response in August 2018.

Changing the program architecture and explore the possibility of reassigning the Ministerial responsibility for literacy and essential skills (recommendations two and three)

ESDC currently supports workplace literacy and essential skills through OLES under the responsibility of the Honourable Minister Hajdu, as well as family or community literacy projects through the Social Development Partnerships Program (SDPP) Children and Families under the responsibility of the Honourable Minister Duclos.

As stated earlier, OLES has an annual funding allocation of approximately \$25 million through the Adult Learning, Literacy and Essential Skills Program and the National Essential Skills Initiative. Of its total budget, OLES is committed to invest \$7.5 million over five years through the Action Plan for Official Languages 2018-2023. Funding primarily supports the replication and scaling up of effective training models to broaden public access to proven approaches that help workers meet employers' on-the-job expectations. Projects that are funded complement provincial and territorial programming and support the development and testing of new models that address gaps and contribute to the continuous improvement of training and service delivery that is more responsive to worker and employer needs.

SDPP Children and Families has an annual budget of \$9.1 million with a minimum annual budget of \$679,000 specifically allocated to projects targeting Francophone and Anglophone OLMCs. In 2017-2018 SDPP Children and Families funded the Réseau pour le développement de l'alphabétisme et des compétences (RESDAC)'s collective impact project which finalized the development and validation of a strategy to address adult literacy among Francophone OLMCs across Canada. In the context of the Roadmap for Canada's Official Languages 2013-2018, priorities for projects were determined in consultations with OLMCs and addressed youth in transition, changing demographics, and vulnerable populations including families. Projects are being delivered through intermediary organizations that have strong and broad engagement with Anglophone and Francophone OLMCs. It is anticipated that, as part of the new Action Plan for Official Languages - 2018-2023: Investing in Our Future, SDPP would continue to fund intermediaries. In addition, future OLMC priorities are expected to be developed in consultation with OLMC stakeholders.

ESDC agrees with the Committee regarding the importance of both family and community literacy and workplace essential skills in ensuring the vitality of OLMCs. Federal officials will work to advance the complementarity of activities supported by the Minister of Employment, Workforce Development and Labour, the Minister of Families, Children and Social Development and Canadian Heritage in addressing gaps in the continuum of education and training in the minority language. Going forward, the engagement of provinces and territories will be important, given their key role in the ongoing delivery of these programs and services.

Adapting programs and funding to OLMCs needs (recommendations five and six)

ESDC agrees with the Committee that it needs to apply the principle of substantive equality¹ in the provision of governmental services to OLMCs. As mentioned above, the goal is to finalize a strategy in summer 2018, which will include an approach to adapting programs and funding to the specific needs of OLMCs.

¹ Substantive equality is achieved when one takes into account, where necessary, the differences in characteristics and circumstances of minority communities and provides services with distinct content or using a different method of delivery to ensure that the minority receives services of the same quality as the majority. This approach is the norm in Canadian law. The Supreme Court of Canada, *Desroches v. Canada (Industry)* case, February 2009.

The Government of Canada is committed to investing \$7.5M over five years in supporting literacy and essential skills initiatives in OLMCs as part of its continuous commitment to the Action Plan for Official Languages 2018-2023.

ESDC is further committed to meeting its obligations under the *Official Language Act*. In order to ensure that programs and services meet the specific needs of OLMCs, ESDC is developing funding scenarios that recognize that organizations whose key mandate is to serve OLMCs are better positioned to deliver projects with the greatest impact on the OLMC population. While the Department recognizes that minority populations may benefit from program funding in ways that are different from the majority population, proper results reporting will remain a key element and priority of ESDC's funding agreements.

Ensure bilateral agreements with provinces and territories serve Official Language Minority Communities (recommendation seven)

Since labour market programming funded through the LMTAs is designed and delivered by provinces and territories, they are responsible for deciding how to allocate the funding provided. The Government of Canada agrees with the importance of ensuring bilateral agreements serve minorities communities and this is why these investment decisions are informed by consultations with stakeholders, including OLMCs, by labour market information and other regional considerations.

ESDC's bilateral agreements with provinces and territories include the Labour Market Development Agreements (LMDAs) and the Workforce Development Agreements (WDAs).

The LMDAs are bilateral agreements with each province and territory to design and deliver employment programming similar to the Employment Benefits and Support Measures outlined in Part II of the *Employment Insurance (EI) Act*. The LMDAs help unemployed Canadians find and return to work. They also help to ensure a skilled labour force that meets current and emerging needs of employers. The WDAs are new, and consolidate the Canada Job Fund Agreements, the Labour Market Agreements for Persons with Disabilities and the former Targeted Initiative for Older Workers. Together, the LMDAs and WDAs are referred to as the Labour Market Transfer Agreements (LMTAs).

According to the bilateral agreements, responsibility for the design and delivery of labour market programming provided under the LMDAs and the WDAs rests with the provinces and territories. Binding clauses in the agreements stipulate that where there is significant demand for services, provinces and territories will ensure that individuals can obtain services in their official language of choice. In general, in determining areas of significant demand, provinces and territories use as guidance the *Official Languages Act* or their own relevant legislation.

In addition, binding clauses in agreements also stipulate that provinces and territories consult with OLMCs as part of their annual planning process. A written plan that details the investments provinces and territories are planning to make in labour market programming and a description of how consultations with OLMCs informed their plan must be submitted to Canada on an annual basis. Discussion of these plans and consultations with OLMCs is a standing agenda item for the bilateral agreement management committee meetings between Canada and provinces and territories. Specifically, provisions in the agreements related to OLMCs resemble the following:

Workforce Development Agreements

In developing and delivering the Eligible Programs, provinces and territories will take into account the needs of official language minority communities in provinces and territories. The provinces and territories also agree to ensure that where there is a significant demand for services or for assistance under the Eligible Programs in either official language, Eligible Beneficiaries can obtain such services or assistance in either official language. In determining the areas of provinces and territories where there would be considered to be a "significant demand", provinces and territories agree to use as a guideline the criteria for determining what constitutes "significant demand" for communications with, and services from, an office of a federal institution as set out in the Official Languages Act and Regulations.

By no later than February 15 of each Fiscal Year during the Period of this Agreement, provinces and territories agree to share with Canada an Annual Plan. The Annual Plan will include: A description of the consultation process referred to in subsection (3) including a list of official language minority community stakeholders consulted and the main themes coming from the consultation. The role of the Workforce Development Committee with respect to this Agreement includes but is not limited to exchanging information on regional or local labour market challenges and priorities and the results of engagement with other relevant stakeholders, including official language minority communities.

Labour Market Development Agreement

Since the LMDAs were negotiated over a long period of time (1996-2010) with individual jurisdictions, clauses about official languages are not identical across agreements. Examples of typical clauses are as follows:

The provinces and territories agree to provide access to assistance under its benefits and measures, and to the functions of the National Employment Service for which it is assuming responsibility, in either of Canada's official languages where there is a "significant demand" for such assistance in that language. In determining the circumstances where there would be considered to be a "significant demand" for assistance in either official language, provinces and territories agree to use as a guideline the circumstances in which there is considered to be a

significant demand for communications with, and services from, an office of a federal institution, as set out in the Official Languages Regulations made pursuant to Canada's Official Languages Act.

In developing each annual plan referred to in section "X", provinces and territories agree to consult with stakeholders, including organizations representing employers and organizations representing employees and official language minority communities in provinces and territories.

The role of the Workforce Development Committee with respect to this Agreement includes but is not limited to: exchanging information on regional or local labour market challenges and priorities and the results of engagement with other relevant stakeholders, including official language minority communities.

Recent amendments to the LMDAs included expanding on pre-existing annual plan requirements to ensure that the plans shared with Canada on an annual basis include a description of consultations with OLMCs. The new WDAs include similar clauses that require provinces and territories to include a description of consultations with OLMCs as a part of the annual plan they share with Canada. Bilateral agreement management committees, known as the Workforce Development Committees, for both agreements are also committed to discussing consultations with OLMCs on an annual basis. Under the Canada Job Fund Agreements, clauses related to the publishing of annual plans that were found in the predecessor agreements, the Labour Market Agreements, were removed in order to reduce administrative burden on provinces and territories and to make more resources available to report on the results of agreements.

Moving forward, the LMDAs and the WDAs have a new shared performance measurement strategy that will collect detailed information about clients, their participation and their outcomes. The strategy will collect data about clients' official language of choice and the language of the service they received, which will allow Canada to undertake analysis of results. Overall, the emphasis is on reporting on the results of investments.