



***BETTER ECONOMIES FOR BETTER LIVES***

*Presentation to The Standing Senate Committee on Official Languages  
by the Community Economic Development and Employability Corporation (CEDEC)  
on its examination of the subject matter of  
**Bill C-13, An Act to amend the Official Languages Act, to enact the  
Use of French in Federally Regulated Private Businesses Act and  
to make related amendments to other Acts***

**Monday, October 24, 2022**

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## INTRODUCTION

### WHO WE ARE AND WHAT WE DO

CEDEC is primarily funded by Employment and Social Development Canada's Enabling Fund for Official Languages Minority Communities. Our purpose is to help drive the economic growth, development, and vitality of the English-speaking communities of Quebec. We have designed a new and innovative approach to economic development that will help our communities achieve lasting success by identifying and leveraging their strongest opportunities for growth. Specifically, we help create public-private-civil society partnerships to foster economic innovation and creativity, combine resources and expertise, and drive local economic development initiatives.

- CEDEC provides coordinated, integrated leadership for collaborative economic ventures and contribute actively at all stages, from idea to action to results.
- Our objectives are to help create jobs, upskill workers, increase wages and revenues, build and grow businesses, and increase investment in our communities.
- Our new approach to economic and labour market development is unique, grounded in extensive international and comparative research and built upon over 22 years of on-the-ground experience with our communities.
- In addition, our approach to collaborative economic development **sees the majority francophone and minority English-speaking communities in Quebec working hand-in-glove** to enhance the common economy we all share, contribute to and benefit from.

### TODAY'S PRESENTATION TO THE STANDING COMMITTEE

The **Community Economic Development and Employability Corporation (CEDEC)** has been pleased to participate in multiple consultations regarding the renewal of Canada's Official Languages Act over the last several months.

CEDEC thanks the Senate of Canada for the opportunity it has provided today, to present and reiterate (a) its support for the general thrust of the proposed legislation, and (b) its serious concerns and reservations about certain aspects of it.

In today's presentation, CEDEC wishes to:

- Express its support for the general thrust of Bill C-13.
- State its serious reservations and concerns about certain aspects of the draft legislation.
- Situate the renewal of the OLA in Canada's current socio-political and economic context and emphasise the opportunity created by this context to leverage the renewal of the Official Languages Act (OLA) as a means to (a) fortify the national fabric and cohesion of the country, and (b) strengthen the leadership of the Government of Canada.

- Discuss the unprecedented political pressures the English-speaking Community of Quebec is facing to (a) preserve its place in Canadian and Quebec society, (b) address ever-growing limitations on the community's use of its Official Language in Quebec, (c) maintain its institutions, especially in the educational and health sectors, and (d) deal with the Quebec government's ongoing efforts to limit access to public services in English, especially health services.
- Discuss the importance for the federal government, in today's context, to spotlight and highlight in the reform of the OLA its steadfast and resolute commitment to fairly and equitably protect and promote OLMC language rights across Canada, including Quebec, and provide funding to OLMCs across Canada in accordance with these principles.
- Argue in favour of, and strongly recommend, establishing economic and labour development, **especially Collaborative Economic Development**, as a central pillar of Canada's renewed policy to protect and promote Canada's Official Languages and its Official Language Minority Communities.
- Recommend an integrated, across government reframing of policy and program support for economic and labour market development.
  - Co-create the latter with OLMCs across Canada employing a ***by and for OLMC approach***.
  - In a context of fiscal restraint, pool financial resources from across the government to create the critical mass of funding required to make real inroads in enhancing economic and labour market activity in OLMCs.
- Recommend amendments to (a) clarify and render more explicit the essential objectives and characteristics of a renewed OLA, (b) position the renewal of the OLA as a continuing national community building enterprise, avoiding the possibility that its renewal becomes a point of contention in an already fractious political context, and in so doing, (c) address the concerns of CEDEC with the proposed draft of the OLA, and those of the English-speaking Community of Quebec (ESCQ).

## SITUATING THE RENEWAL OF THE OLA IN ITS PRESENT-DAY CONTEXT

### THE WHAT AND THE HOW OF OLA RENEWAL ARE BOTH CRITICAL SUCCESS FACTORS

Since Confederation, the promotion of English and French and the just and equitable treatment of Official Language Minority Communities is a cornerstone of national identity and unity. The Government of Canada has played a critical leadership role in protecting and promoting Canada's two Official Languages, as well as protecting and promoting the interests of Canada's English-speaking and French-speaking linguistic minorities (OLMCs).

In the national context and because of minority status, it is generally accepted by Canadians that the Government of Canada has a special responsibility to protect and promote the French language in Quebec and across Canada, as well as the unique French-speaking society of Quebec, and French-speaking Official Language Minority Communities (OLMCs) in provinces and territories outside of Quebec. **How the Government of Canada does this is as important that the Government of Canada does this.**

In a country that possesses two official languages, the rights and freedoms accorded to the use of each Official Language, and the rights and freedoms accorded to both Official Language Minority Communities, must always be grounded in fairness and equity. These rights and freedoms should never be grounded in the violation of the rights and freedoms of Canadians using one or the other of Canada's Official Languages, nor in the violation of the rights and freedoms of one Official Language Community, be they in a majority or minority situation.

Just as the Government of Canada must protect the use of French as one of Canada's Official Languages, it must also protect and promote the use of English as one of Canada's Official Languages. Just as the Government of Canada must protect French-speaking OLMCs across Canada, so it must also protect and promote the English-speaking OLMC in Quebec. In all instances, the federal government must ensure that the protection and promotion of the use of French and English as Canada's Official Languages, and the protection and promotion of OLMCs across Canada, including in Quebec, is accomplished in a fair and equitable manner. Not only is this an imperative of justice and a fundamental characteristic of Canada, but it is also a political imperative in building a cohesive and united country that judiciously balances language group relationships and the inherent "rapport de force" that exists in them.

#### A UNIQUE, CHALLENGING CONTEXT REPRESENTING OPPORTUNITY AND RISK

CEDEC cannot help but observe and comment that the renewal of Canada's Official Languages Act is taking place in a difficult moment in the country's history and development. Political leaders, opinion leaders, academics, public institutions, and business and civil society leaders are openly discussing the support of Canadians for their most important democratic institutions, including the federal government. One has only to browse through recent media to see some striking illustrations of these sentiments.

- A leading editorialist recently announced that ***Constitutional government in under attack*** and he writes that "*(M)uch of the population no longer sees the federal government as their federal government, but as somebody else's.*"<sup>1</sup>

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<sup>1</sup> Andrew Coyne, *Constitutional Government is Under Attack*, [Globe2Go](http://Globe2Go), the digital newspaper replica of *The Globe and Mail* ([pressreader.com](http://pressreader.com))

- Media reports describe a determined pro-sovereignty provincial government in Alberta that will table as its primary policy initiative **its own sovereignty act**.<sup>2</sup>
- The release of a Saskatchewan policy paper called *“Drawing the Line: Defending Saskatchewan’s Economic Autonomy,”* emphasizes that **federal policies are causing economic harm to the province.**, and that the provincial government is prepared to take actions to address this situation including the adoption of a more autonomous immigration policy, developing a carbon credit market, and taking legal action against the federal government over the carbon tax and emissions targets.<sup>3</sup>
- The re-election of the CAQ government of Francois Legault in Quebec, and the implementation of Bill 96 will consolidate French as the common and official language of Quebecers while continuing to limit the use of English in the public and private sectors.

To complicate these contextual matters and dynamics related to confidence in Canada’s institutions even further, Finance Minister Chrystia Freeland recently warned.

*"Our economy will slow. There will be people whose mortgage rates will rise. Businesses will no longer be booming. Our unemployment rate will no longer be at its record low. That's going to be the case in Canada. That will be the case in the U.S. and that will be the case in economies big and small around the world."*<sup>4</sup>

#### A LEADERSHIP OPPORTUNITY

In this multifaceted and complicated context, the Parliament of Canada and the Government of Canada must ensure that this context does not infect nor contaminate the **unique opportunity Canada has to renew its** Official Languages Act (OLA) and demonstrate the pride of Canadians in and their commitment to one of Canada’s core pillar policies.

In today’s context, the renewal of the OLA presents a real possibility to celebrate and continue to develop one of our country’s key characteristics, in this case, its two Official Languages and its two Official Language Minority Communities (OLMCs). Well taken advantage of, this opportunity can enable the Government of Canada to demonstrate how Canada’s Official Languages and the collaboration of English-speaking and French speaking language communities across the country,

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<sup>2</sup> [CTV News, Alberta UCP leadership candidate Danielle Smith promises immediate sovereignty act](#) [Danielle Smith promises immediate sovereignty act | CTV News](#)

<sup>3</sup> [Government of Saskatchewan, Federal Policies Could Cost Saskatchewan \\$111 Billion By 2035, Federal Policies Could Cost Saskatchewan \\$111 Billion By 2035 | News and Media | Government of Saskatchewan](#)

<sup>4</sup> [CBC, Freeland warns of 'difficult days ahead' as Canada's economy shows sign of weakness, Freeland warns of 'difficult days ahead' as Canada's economy shows sign of weakness \(msn.com\)](#)

continue build and strengthen our country, and in typical Canadian style, help to address the economic challenges of today and tomorrow.

While both the Parliament of Canada and the Government of Canada have established a positive track record over the years in protecting and promoting Canada's Official Languages and its OLMCs, missteps by either of these institutions in the current context could produce unwelcome and counter-productive outcomes, possibly undoing years of thoughtful and careful edification of our country's Official Languages regime. Neither institution should underestimate the factors and dynamics underlying the current context, or mistakenly consider them as just another example of the normal tensions involved in governing the federation which is Canada; they are too pervasive not to have deep roots and resonance with many Canadians.

**Given the above, the Senate of Canada has a remarkable chance to ensure that the opportunity to secure the widest possible support from Canadians for the renewal of this legislation is not squandered and does not in any substantial way contribute additional challenges to an already worrisome context.**

## THE SITUATION OF CONTEMPORARY ENGLISH-SPEAKING QUEBEC

### THE ESCQ HAS CHANGED

Quebec's English-speaking community, along with Quebec society at large, has undergone a major transformation since the middle of the twentieth century. Perceptions about the English-speaking community in Quebec have evolved and need to continue to change as the community is no longer what it was described to be decades ago, i.e., "...a homogenous and privileged elite".<sup>5</sup>

Today, contemporary English-speaking Quebec is a diverse, confident, bilingual, and resilient community that actively participates in, contributes to, and benefits from the social, economic, cultural, and political life and development of Quebec society.

In twenty-first century Canada, continuing to think that the existence and the thriving of an Official Language Minority Community (OLMC) in Quebec is a threat to the French language, or to Quebec society, is not la viable perspective.

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<sup>5</sup> Lise Palmer & Patrick Tomlinson, *"The Implementation of Part VII Community and Social Stakeholders' Perspectives: The English-speaking Communities of Quebec. Report submitted to the Official of the Commissioner of Official Languages"* (Unofficial report submitted to the Official of the Commissioner of Official Languages), October 2009 at 1. See also William Floch & Joanne Pockock, *"The Socioeconomic Status of English-Speaking Quebec: Those Who Left and Those Who Stayed"*, in Bourhis, *Decline and Prospects*, supra at 129.

## THE ESCQ IS FACING UNPRECEDENTED POLITICAL PRESSURES

That said, it is impossible to be silent about the fact that English-speaking minority in Quebec is **currently facing unprecedented political pressures**. The current provincial government has adopted Bill 40, abolishing school boards; adopted Bill 96, restricting the use of languages other than French, and; weakened the policy infrastructure supporting access to health services in English. While all of these policy initiatives are being challenged in the courts, **these political pressures have created a sense of injustice within the English-speaking OLMC of Quebec, and a deep feeling of disrespect for itself, its institutions, and its members.**

## GETTING AHEAD AND STAYING AHEAD

If the English-speaking OLMC in Quebec is to successfully face the pressures and challenges present in its current environment, it will need to: remain strong; remain active; nurture its vitality; stay connected to and within Quebec society, and; be self-actualizing while continuing to contribute in a significant and meaningful way **to the development of the broader society it is an integral component of**. In practical terms, to continue to thrive, the English-speaking OLMC in Quebec will need to successfully address specific key challenges.

- It must continue to successfully navigate its unique political situation, where it is a linguistic minority within a linguistic minority, the latter having demographic, political, and economic dominance in Quebec.
  - Successful navigation of its political context has been and will remain challenging.
- It will have to effectively address a zero-sum game approach to protecting and promoting Canada's Official Languages and its OLMCs. Many political and public sector leaders and decision-makers believe that investments in the growth and development of Quebec's OLMC somehow diminishes Quebec society and the French language in Quebec, and/or limits or takes away from the development of OLMCs in other parts of Canada.
  - As stated above, the existence and the thriving of an Official Language Minority Community (OLMC) in Quebec in the twenty-first century is neither a threat to the French language nor to the development of Quebec society.
  - In addition, the English-speaking community of Quebec continues to be shortchanged by the Government of Canada. There is a pronounced funding imbalance in Government of Canada's support for the English-speaking community of Quebec relative to francophone communities of other provinces.
- It must be an integral and integrated component of its environs at all levels.
  - As a linguistic minority within a linguistic minority, the OLMC in Quebec must maintain its integrity and unique character.



- It must continually draw upon and leverage its linguistic, political, economic, social, and cultural assets and advantages to strengthen its foundations, improve its community life, and pursue its collective aspirations.
- **In pursuing the above, it must also be connected to, contribute to, be a supporter of, be a promoter of, and be a beneficiary of broader political, policy and program discussions and actions in Quebec.**
- It must continually improve services and supports to specific population groups in the OLMC so they can fully identify with, contribute to, and benefit from being and living as part of the OLMC in Quebec. This specifically includes addressing service and support issues related to:
  - OLMC development at the local, regional, provincial, and national levels
  - Collaboration with the majority francophone community
  - Lifelong education and skills development, especially French language skills training.
  - Improving access to health and social services, especially, but not exclusively, in more rural communities.
  - Sharing the unique culture of the OLMC, especially in the arts.

#### WHAT THE ESCQ NEEDS IN A RENEWED OLA

In sum, a modern, diverse, bilingual, multi-cultural and multi-racial English-speaking Quebec, present across the province, requires a modernized Official Languages Act (OLA) that is:

- Unabashedly supportive of OLMCs across Canada, including Quebec.
  - Unafraid to recognize that the development and growth of a thriving OLMC in Quebec continues to significantly contribute to the social, economic, and political development of Quebec and in no way detracts from this.
- Fairness and equity in supporting OLMCs across Canada.
- A **“by and for”** principle framing and driving all efforts to enhance the vitality of OLMCs.

#### CEDEC IS GENERALLY SUPPORTIVE OF THE THRUST OF C-13

As we have stated many times in the past, the Government is to be commended for its initiative to reform and update the Official Languages Act by undertaking many of the far-reaching and thoughtful proposals it has put forward. These provide a much-needed update to the legislation and policies that are, for the most part, in keeping with the intent and objectives of the Official Languages legislation, policies and programs. CEDEC is particularly pleased to note the reaffirmation of the Government of Canada’s:

- Duty to protect and promote the French language in all provinces, including Quebec, and;
- Its continued leadership on Official Languages within its constitutional jurisdiction.

Many of the Government's proposals respond to earlier recommendations of the English-speaking community of Quebec and other Official Language Minority Communities. CEDEC fully supports these proposals, many of which would ensure more effective implementation of the legislation, including, for example, the commitments to:

- Support, promote and protect the institutions of the official languages minority communities (OLMCs).
- Support sectors that are key to the vitality of OLMCs.
- Develop regulations that outline the terms and conditions of positive measures by federal institutions under Part VII of the Act.
- Strengthen the powers of the Commissioner of Official Languages.
- Incorporate the Court Challenges Program within the Official Languages Act.
- Expand the role of the Treasury Board and its Secretariat.

### CEDEC IS DEEPLY CONCERNED ABOUT THE FOLLOWING

1. There is a total absence of policy measures in the proposed OLA which recognize, encourage, and actively support **a coordinated inter-ministerial approach to collaborative economic development between majority and minority language communities, and across public, private and civil society sectors.** As the Standing Senate Committee noted in its Report on The Vitality of Quebec's English-Speaking Communities: From Myth to Reality in 2011, ***"A community's vitality is a function of its economic vitality."***
  - CEDEC believes effective, collaborative, and inclusive economic development is the root of individual and community wellbeing. It is critical to helping OLMCs remain strong, active, connected, self-actualizing, and contributors to the broader society.
    - This view aligns with that of the OECD, which notes that economic well-being is a foundational, critical to overall community and individual well-being, and a significant contributing factor to better outcomes in health, education, social and cultural participation, and civic engagement.
    - Conversely, economic stagnation and decline undermine the vitality of communities. They erode the ability of communities to sustain positive outcomes in economic and other areas of community life and to improve those outcomes over time.
  - Economic development, **especially Collaborative Economic Development**, builds broad and deep ecosystems which engage majority and minority language communities, and the public, private, and civil society sectors of community, in pooling and maximizing their knowledge, know-how and resources to produce tangible economic benefits for individuals and communities.
    - For example, in Quebec, English and French-speaking Quebecers have a long history of working together to build a modern provincial economy for the benefit of all Quebecers.

- A strong and collaborative economic development approach **by and for the ESCQ** is one of the most promising and positive ways to:
  - **Build bridges and common economic development cause between the Francophone majority and English-speaking minority in Quebec.**
  - Enable English-speaking Quebecers to contribute their unique and diverse linguistic, professional and trade skill talents to developing Quebec's economy at the local, regional, and provincial levels.
  - Create and support entrepreneurial activity.
  - Retain youth in the OLMC in Quebec.
  - Attract individuals from outside Quebec and retain newcomers within the ESCQ.
  - Build a strong and lasting identity with and attachment to the ESCQ and Quebec society.
- Strong and collaborative majority and minority economic development results in the creation of dynamic and innovative provincial, regional, and local economies that can take advantage of economic opportunity while also addressing serious economic development challenges related to;
  - Declines in community vitality.
  - Economic precarity and disruption.
  - Social and economic disparity.
  - Inequality.
  - Innovation.
  - Productivity.
  - Labour market alignment and inclusion.
  - Unemployment and under-employment.
  - Income disparity and poverty, etc.
- Strong and collaborative economic development is predicated on the reality that multiple stakeholders share a common economy, and by working together they can all contribute to and benefit from its growth and development.

**2. A further weakness is the absence of policy measures to recognize, encourage, and actively redress the economic decline of the English-speaking community of Quebec over many years.**

- The OLMC in Quebec represents virtually fifty percent of the Official Language Minority Population in the country.
- Despite the fact (a) of being one of only two provinces in which the Official Language Minority Community has a lower median income than the majority, and (b) of having higher rates of poverty and unemployment than the French-speaking majority population of Quebec, the OLMC in Quebec continues to receive proportionally lower funding for economic development than the francophone communities in other parts of the country.

- In a word, the English-speaking community of Quebec continues to be shortchanged by the Government of Canada.
  - There is a pronounced funding imbalance in Government of Canada's support for the economic development of the English-speaking community of Quebec relative to francophone communities of other provinces.
- 3.** In the *Use of French in Federally Regulated Private Businesses Act*, there is **an absence of guarantees** to ensure that the rights of English-speaking Canadians to use their Official Language, particularly members of the ESCQ, are protected and not impaired.
- English-speaking Quebec workers and consumers must be able to work in, communicate with and receive services from federally regulated businesses in Quebec in English.
  - A lack of guarantees related to the use of one of Canada's Official Languages in federally regulated businesses, could lead to situations of unfairness and inequity in Quebec, and possibly other parts of Canada.
  - As a result, English-speaking Canadians in other provinces, and their provincial governments, may reconsider existing rights and protections of French-speaking Canadians in those provinces, inadequate though they may sometimes be.
- 4.** CEDEC believes that the integrity of Canada's federal Official Languages regime is highly dependent on the federal government exclusive responsibility to administer the Act and related legislations and regulations.
- It is CEDEC's view, the Government of Canada must not delegate to provincial or to territorial governments its responsibilities to implement and oversee any component of the country's federal Official Languages regime, including the protection and promotion of Official Language Minority Communities.

## RECOMMENDATIONS

- **That the OLA explicitly state that the Government of Canada will:**
  - **Promote, support, and defend the rights of all OLMCs across Canada without exception, particularly when a provincial or territorial government restricts and reduces OLMC language rights**
  - **Provide fair and equitable policy, program, and financial support to OLMCs across Canada**
- **That the OLA and related legislations explicitly state that any language rights in federally regulated businesses must apply equally and without exception to both English-speakers and French-speakers**
- **That the OLA declare that economic and labour market development is a pillar of the Government of Canada’s approach to enhancing the development and vitality of OLMCs, and that in this regard, the Government of Canada is obliged to:**
  - ***Apply a “by and for OLMC collaborative economic and labour market development approach that integrates and coordinates policy, program, and funding support across the federal government***
  - **Adopt a collaborative majority and minority language community economic and labour market development model reaching across the public, private and civil society sectors**
  - **Establish for the OLMC in Quebec a “by and for” multi-million-dollar, five-year Collaborative Economic Development Leverage Fund, not less than \$15 million in any five-year period**
  - **Integrate early childhood development and literacy development within its collaborative economic and labour market development approach**

## CONCLUSION

As it noted at the outset of this presentation, the multifaceted and complicated context emerging in Canada with regard to the confidence of Canadians in public institutions, especially the federal government, **provides a unique opportunity** to leverage the renewal of Canada's Official Languages Act (OLA) to demonstrate the pride of Canadians in and their commitment to one of Canada's core pillar policies. At the same time, the context alluded to should not be considered as just another example of the normal tensions involved in governing the federation. Missteps by the Parliament of Canada or the federal government in this context could produce unwelcome and counter-productive outcomes, possibly undoing years of thoughtful and careful edification of our country's Official Languages regime. As emphasized, **how the Government of Canada renews the OLA is as important that the Government of Canada renews the OLA. .**

Given the risks inherent in the context described above, the Senate of Canada must ensure through its review that appropriate modifications are brought to the proposed OLA to ensure that its renewal secures the widest possible support from Canadians.

CEDEC recognizes the merits of many of the changes in the proposed OLA and supports these. It voices four significant concerns and reservations about specific aspects of the proposed legislation, and it recommends adjustments to address these.

CEDEC thanks the members of the Standing Senate Committee on Official Languages for allowing it to share its views on the proposed reform of the Official Languages Act and related legislations. It stands ready to provide any additional information or support to the Standing Committee that it may desire.