

**STAFFING AND MANAGING
DESIGNATED BILINGUAL POSITIONS
A PRACTICAL GUIDE FOR MANAGERS**

June 2011

CONTEXT

Ministries' capacity to offer FLS relies, to a great extent, on their ability to recruit and retain people in Designated Bilingual Positions (DBPs), that is to say, people with the appropriate oral and written French language skills for their position.

It is the responsibility of each manager to ensure that DBPs in their respective teams are properly identified and appropriately staffed.

Under the *French Language Services Act* (FLSA), French-speaking Ontarians have the right to receive provincial government services in French from central and head offices as well as offices located in or serving one of the areas of the province [designated under the FLSA](#).

A ministry's capacity to offer French language services (FLS) relies, to a great extent, on its ability to recruit and retain people in Designated Bilingual Positions (DBPs), that is to say, people with the appropriate oral and written French language skills for their positions. Recruiting and retaining people in DBPs, however, is more complex than recruiting for non-designated positions because:

- the pool of qualified candidates is limited and becomes more limited as job requirements increase;
- the hiring process includes an evaluation of French language skills;
- most managers are not in a position to assess the quality of the French aspects of the work; and
- expectations of accessibility, continuity and quality from the Francophone community are high.

For these reasons, it is not uncommon to find situations where a DBP is either left unfilled or filled by someone who does not have the appropriate French language skills. Conversely, a designation may follow a bilingual employee as he or she moves to a new position, without any rationale other than the fact that the employee speaks French. Neither scenario should occur: it is the responsibility of each manager to ensure that DBPs in their teams are properly identified and appropriately staffed.

This guide is designed to help managers better understand their role and obligations regarding the management of DBPs, and to provide them with clear, user-friendly tools and resources to support them each step of the way.

More specifically, this guide provides:

- **High-level guidelines**, to understand the roles and responsibilities of the key players in the processes related to DBPs;
- **Practical resources**, such as templates, tables and check-lists.

New resources are posted as they are developed. Please refer to the Office of Francophone Affairs' Intranet at:
<http://intra.ofa.gov.on.ca>

Involve FLS Coordinators early in HR-related processes (planning, recruitment, etc.)

EFFECTIVE MANAGEMENT OF DBPS

The effective management of DBPs rests on a simple set of guiding principles that are best captured by the following three questions:

1. What programs and services does my unit provide?
2. *From a French-speaking customer perspective*, do I have sufficient French-speaking staff to provide quality services within established service standards (i.e. during vacations, leaves, shift work, sick days, training days, etc.)?
3. *From a corporate perspective*, did I follow the correct procedures to ensure that my ministry meets its requirements under the FLSA?

CORPORATE ACCOUNTABILITY FOR DESIGNATED BILINGUAL POSITIONS

DBPs are a part of the Deputy Minister-approved RbP Process

French language services are now an integral part of each ministry's annual Results-based Plan (RbP), which includes specific performance measures on DBPs. FLS submissions are reviewed and signed off by Deputy Ministers and forwarded to Treasury Board for evaluation and comment. In this context, the effective management of DBPs reflects directly on the ministry's overall performance.

TABLE OF CONTENTS

[Section 1:](#) **What** is a designated bilingual position?

[Section 2:](#) **Why** designate a position as bilingual?

[Section 3:](#) **Which** positions should be designated?

[Section 4:](#) **How** are positions designated or de-designated?

[Section 5:](#) **What** is the process for changing an existing designated position?

[Section 6:](#) **What** is the process for filling a designated position?

[Section 7:](#) **Who** does what? Roles and responsibilities

[FAQs](#)

[Useful links](#)



SECTION 1: WHAT IS A DESIGNATED BILINGUAL POSITION (DBP)?

A DBP is a position requiring French language proficiency.

DBPs exist in all staffing streams – administrative support, technical, professional and management. DBPs allow for direct interactions with French-speaking customers (i.e. receptionist, customer service representative, inspector, etc.), or the early and strategic consideration of FLSA requirements in the policy and program development process (i.e. policy analyst, consultant, etc.), and play a key role in the active offer of services in French.

Note: Both permanent and temporary positions can be designated. The hiring manager is responsible for ensuring that the temporary DBP is filled with someone who has the appropriate language skills.

There are two categories of proficiency: oral and/or written.

Each designated position requires a specific level of French language proficiency for oral and/or written skills. The requirement varies from one position to the other, depending on the nature of the position and the level of interaction with the public.

Managers, with the support of their [FLS Coordinator](#), need to carefully assess the French language requirements of DBPs:

- Overestimating the skills required may severely and unnecessarily limit the pool of qualified candidates, and ultimately, be counterproductive to the hiring process; and,
- Underestimating the skills required will expose the team to complaints from the Francophone community, risks of miscommunication, or additional costs (e.g., translation of documents that should have been prepared in French).

There are two levels of proficiency each for oral and written French language skills: Advanced and Superior.

French language skills need to match the requirements of the position.

There are two levels of proficiency each for oral and written French language skills: Advanced and Superior

EXAMPLES OF LANGUAGE SKILL COMBINATIONS:

Advanced oral skills only

A designated bilingual customer care representative handling the general enquiry line for a ministry interacts with French-speaking callers but is not called upon to write official correspondence. This position would require advanced oral skills only.

A designated bilingual manager overseeing a call centre needs to listen to calls in order to supervise employees, listen to complaints from the public, etc. However, the manager is not involved in writing or reviewing documents in French. This position would require advanced oral skills only.

Advanced written skills only

A designated bilingual administrative assistant is responsible for preparing simple letters in French but does not have any dealings with the public over the phone or at a public counter. This position would require advanced written skills only.

Both advanced oral and written skills

A designated bilingual inspector is required to inspect the premises of a business operating in French, explain procedures and fill in forms in French. This position would require both advanced oral and written skills.

Superior oral skills only

A designated bilingual scientist or engineer is called upon to explain highly technical issues over the phone or at public meetings, but does not prepare technical documents in French. This position would require superior oral skills only.

Superior written skills only

A designated bilingual writer in a correspondence unit is responsible for preparing responses to correspondence received in French, but never deals with the public in person or over the phone. This position would require superior written skills only.

Both superior oral and written skills

A designated bilingual policy advisor working on programs and policies that require consultations with the public in a designated area needs to speak French with the community and understand and prepare various documents in French. This position would require both superior oral and written French language skills.



Ensure access to, and quality of, the full range of services offered in English.

SECTION 2: WHY DESIGNATE A POSITION AS BILINGUAL?

To deliver services and programs in a [designated area](#): French-speaking customers are entitled to comparable access to, and quality of, the full range of services offered in English from the time of initial contact with an OPS government organization to the conclusion of service delivery.

To plan and design services and programs: When developing a program or service, consideration must be given to the needs of the Francophone population, which can vary from those of the English-speaking population. Securing the input of someone with an understanding of the Franco-Ontarian reality on a planning or design team helps ensure that those needs are identified and taken into account early in the planning process.



Not all front-line positions are designated; and not all designated positions are front-line positions.

SECTION 3: WHICH POSITIONS SHOULD BE DESIGNATED?

There is no magic number. Each manager needs to:

Step 1: consider the full range of services being offered by his/her office.

Step 2: identify all positions dealing directly with the public, stakeholders or client groups (in person, over the counter, by telephone, through correspondence, etc.). Both professional level and administrative support positions should be identified.

Step 3: decide how many of the positions identified in Step 2 should be designated bilingual in order to be able to serve the French-speaking population of the area and ensure continuity (back-up planning). The following should be considered when determining the number of designated positions:

- the number of hours the office is open to the public
- whether there is shift work or seasonal work involved
- leaves, vacations, absences, temporary assignments of a designated staff member
- the volume of contact with the public – the higher the volume, the greater the number of DBPs required
- whether the service is offered province-wide or only to an area designated under the FLSA

Step 4: determine which levels of oral and/or verbal skills are required for each position.

Step 5: discuss the proposed designations and skill levels with your FLS Coordinator.



SECTION 4: WHAT IS THE PROCESS FOR DESIGNATING A POSITION?

Once the positions to be designated as bilingual have been identified, there are a number of administrative tasks to perform:

Designated positions are part of a formal administrative process in WIN.

- Revise the job specification to include French language skills requirements
- Submit designation request form to FLS Coordinator, providing rationale for designation, and then to the Deputy Minister for final approval. A copy of the request should be sent to the Strategic Business Unit (SBU) director of the relevant ministry at the same time.
- Submit the new job specification to your HR Advisor for submission to the Enterprise Classification Unit (Note: adding French language skills will rarely change the classification of a position)
- Attach the position to the appropriate profile(s) (e.g., French Verbal Skill Advanced) following the guide found in: [MyOPS Home Page](#) > [My Pay and Benefits](#) > [WIN Support](#) > [WIN Training](#) > [WIN Reference Guides](#)>[Maintaining French Language Services Data for Positions](#).
- Update any existing organizational charts to identify the positions as designated positions.



SECTION 5: WHAT IS THE PROCESS FOR CHANGING THE STATUS OF AN EXISTING DESIGNATED POSITION?

Changes in designations may not be made without the proper approvals.

In rare circumstances, the designation of a particular position may need to be reconsidered. The manager must then consult with the FLS Coordinator and Human Resources Advisor to discuss options, which may include transferring the designation to an equivalent position on a permanent or temporary basis, or removing of the designation (“de-designation”).

If it is determined, in consultation with the FLS Coordinator, that such a change should occur, the process is as follows:

Transfer of designation	De-designation
<i>Some ministries require that a specific form be used for the management of DBPs. Please check with your FLS Coordinator whether a formal process exists in your ministry.</i>	
Provide rationale explaining why the designation for the position is no longer needed, why it should be transferred to another position, and to which position it should be transferred.	Provide a rationale for the de-designation, and why the designation cannot be transferred to another position.

Transfer of designation	De-designation
Clearly demonstrate that the DBP is no longer required or that quality service remains available and easily accessible through other means.	
Confirm with your HR Advisor that any labour relations issues associated with the transfer of the designation or the de-designation have been addressed.	
Obtain FLS Coordinator’s approval for transferring the designation.	Work with the FLS Coordinator to obtain FLS Cluster Manager and Deputy Minister (or delegate) approval for the proposed de-designation.
Work with the HR Advisor to revise the job specification of both the de-designated position and the new designated position so that the French oral/written requirements are removed or added, as appropriate. A copy of the request should be sent to the SBU director of the relevant ministry at the same time in the event the Deputy Minister seeks advice from the SBU before making a decision.	Work with the HR Advisor to revise the job specification and the Enterprise Classification Unit to ensure that that the French oral/written requirement is removed.
Obtain the necessary approvals from Deputy Minister or delegate on the transfer or removal of designated bilingual positions	
Update WIN by attaching the new designated position(s) to the appropriate profile(s) (e.g., French Verbal Skill Advanced) and detaching the old position from these profiles following the guide found in: MyOPS Home Page > My Pay and Benefits > WIN Support > WIN Training > WIN Reference Guides>Maintaining French Language Services Data for Positions	Detach the de-designated position from the French language profiles in WIN following the guide in: MyOPS Home Page > My Pay and Benefits > WIN Support > WIN Training > WIN Reference Guides>Maintaining French Language Services Data for Positions
Update any existing organizational chart to reflect the designation and/or de-designation.	



A 7-step process:

1. Contact RRS
2. Engagement Meeting
3. Job posting
4. Screening
5. Linguistic evaluation
6. Interviews
7. Hiring

SECTION 6: WHAT IS THE PROCESS FOR FILLING A DESIGNATED POSITION?

Staffing in the OPS is performed in accordance with the *Public Service of Ontario Act (PSOA), 2006*, [collective agreements](#) and human resources management policies (e.g. the [Staffing Operating Policy](#)). This guide is meant to supplement those authorities.

Consultation with your FLS Coordinator and HR Advisor is necessary, even where a non-competitive process is used to fill a vacancy.

Step	Description	Lead(s)
1.	<p>CONTACT REGIONAL RECRUITMENT SERVICES (RRS) (WHERE RECRUITMENT ACTIVITY IS SUPPORTED)</p> <p>Manager initiates recruitment and identifies that the position is a DBP as well as the level of proficiency of oral and/or written French language skill required;</p> <p>RRS assigns the competition to the bilingual Recruitment Consultant (RC) assigned to all DBPs.</p> <p><i>Note: Some temporary vacancies .e.g., under six months for OPSEU may be filled without the involvement of RRS. Managers should discuss such vacancies in DBPs with the FLS Coordinator and HR Advisor.</i></p>	<p><i>Manager, FLS Coordinator, HR Advisor, and bilingual Recruitment Consultant</i></p>
2.	<p>ENGAGEMENT MEETING</p> <p>RC works with Hiring Manager to plan the recruitment strategy including:</p> <ul style="list-style-type: none"> • Reviewing job specification, selection criteria and mandatory requirements • Determining the selection/rating methods • Identifying targeted outreach/sourcing to attract a sufficient pool of qualified candidates • Discussing the French language proficiency evaluation process <p>Other participants in the engagement meeting include the HR Advisor and the ministry FLS Coordinator.</p>	

Step	Description	Lead(s)
3.	<p>JOB POSTING</p> <p>The RC works with Hiring Manager to develop a job advertisement that clearly describes the duties of the position and outlines the required qualifications.</p> <p>⇒ Job advertisements must:</p> <ul style="list-style-type: none"> • Indicate French Language Proficiency Levels of oral and/or written French language skills (Advanced or Superior) required • Require proficiency in English • Job advertisement and position description appear in both English and French on-line on the OPS Career website and/or other outreach/sourcing website <p>⇒ RC has job advertisements translated and can assist with translation of job specifications.</p> <p>⇒ In order to broaden the area of search, the FLS Coordinator can assist the manager and recruitment consultant with the distribution of the job ad to targeted ministry stakeholders and Francophone community groups.</p> <p><i>Note: The job posting must respect redeployment process requirements.</i></p>	<p><i>Manager, FLS Coordinator and bilingual RC</i></p> <p><i>The OFA assists with the distribution of the posting to its stakeholders</i></p>
4.	<p>SCREENING</p> <p>RRS can provide screening services for all resumes, including those received in French.</p> <p>⇒ Applications received in French are reviewed and given equal consideration to those received in English</p> <p>⇒ All applications/correspondence received <u>for designated positions</u> in French are answered in French</p>	
5.	<p>FRENCH LANGUAGE PROFICIENCY EVALUATIONS</p> <p>All applicants being considered for an interview should have their French language proficiency (oral and/or written) evaluated prior to the interview. Candidates with existing certificates* of proficiency must provide a copy. Evaluation results are transferable between ministries.</p> <p>⇒ RC can provide the Hiring Manager with the list of vendors of record for French language proficiency evaluation</p> <p>⇒ Hiring Managers are responsible for selecting a vendor based on the corporate procurement process, and for paying the vendor directly</p> <p>⇒ RC can assist in coordinating testing with the vendor</p> <p>⇒ RC distributes evaluation results as follows:</p> <ul style="list-style-type: none"> • Original to candidate • Copy to recruitment files • Copy to Hiring Manager • Copy to FLS Coordinator <p>⇒ Hiring Manager consults with FLS Coordinator and Recruitment Consultant if none of the candidates meet the required language skills to strategize on next steps for filling your DBP.</p> <p>*Although FLS proficiency evaluation certificates do not expire, certain ministries have instituted more strict standards and re-test after a certain period of time</p>	<p><i>Manager, FLS Coordinator and bilingual RC</i></p>
6.	<p>INTERVIEWS</p> <p>Hiring Manager may choose to conduct part of the interview in French.</p>	
7.	<p>MAKING THE HIRING DECISION</p> <p>Hiring Manager discusses with the employment offer process and notification of unsuccessful applicants with the RC prior to making any offer.</p>	



SECTION 7: WHO DOES WHAT? ROLES AND RESPONSIBILITIES

WHO	WHAT
<p>Manager Line ministry</p>	<p>Accountable for FLS within program/service area, including:</p> <ul style="list-style-type: none"> ☑ Making all HR management decisions ☑ Ensuring early/systemic involvement of FLS Coordinator ☑ Planning for appropriate FLS capacity at all times ☑ Determining the level of French language proficiency in consultation with FLS Coordinator and HR Advisor ☑ Recommending designation (and de-designation) of position and effectively managing DBPs ☑ Obtaining advice from appropriate HROntario division
<p>FLS Coordinator FLS Cluster</p>	<p>Expert advice and services on FLSA, including:</p> <ul style="list-style-type: none"> ☑ Advising on the identification of positions to be designated and the French language proficiency required for designated positions ☑ Approving changes made to French language proficiency requirements of existing designated positions ☑ Coordinating FLS section of the RbP reporting process ☑ Coordinating approval for any new designations, change in designations or de-designation of positions ☑ Providing advice on Ministry approval process ☑ Attaching successful candidates to the appropriate proficiency profiles in WIN.
<p>HR Advisor HR Advisory Services Regional Recruitment Services</p>	<p>Solution-oriented advice and supports for managers:</p> <ul style="list-style-type: none"> ☑ Providing guidance and support on Human Resources/Employee Relations issues; interpreting collective agreements, policies, procedures and directives ☑ Reviewing and analyzing job requirements and descriptions; liaising with Enterprise Classification Unit regarding position evaluation ☑ Processing position management requests in WIN, except where Ministries opt out of HR Advisory Services position management services ☑ Acting as liaison between managers and Strategic Business Units to complete position management where the Ministry opts out of these

WHO	WHAT
Strategic Business Advisor Strategic Business Unit (SBU)	Support of hiring activities for executives at the SMG 3 level and higher: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Monitoring any proposed FTE changes in a Division. NOTE: The SBU Business Advisor should be notified of any proposed designations and de-designations of positions as Deputy Ministers are likely to seek SBU advice before making decisions.
Recruitment Services Regional HR Services	Recruitment of non-SMG OPS Staff (partnership between RC and hiring manager) <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Providing strategic recruitment advice and support to hiring managers <input checked="" type="checkbox"/> Preparing and posting of job advertisements and submitting materials for clearance under the redeployment process <input checked="" type="checkbox"/> Offering resume screening, interview question preparation and scheduling support to hiring manager; <input checked="" type="checkbox"/> Completing WEAR Form (WIN Employee Action Request) for new staff hired through a competitive process supported by a Recruitment Centre
Office of Francophone Affairs (OFA)	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Defining corporate guidelines regarding DBPs <input checked="" type="checkbox"/> Acting as steward of the FLSA <input checked="" type="checkbox"/> Reviewing FLS sections of ministries' RbP submissions on behalf of Treasury Board
Deputy Minister or delegate	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Approving designation of positions <input checked="" type="checkbox"/> Approving any permanent de-designation <input checked="" type="checkbox"/> Transferring of an existing DBP to another position <input checked="" type="checkbox"/> Signing-off of ministry's RbP report, including the section on FLS



FREQUENTLY ASKED QUESTIONS

Question: What are designated areas?

Answer: A designated area is an area of the province in which the right of individuals to receive services in French under the [French Language Services Act](#) (FLSA) must be respected. There are currently 25 designated areas in the province, a list of which can be found on the OFA website.

Question: What is an “active offer” of French language services?

Answer: An active offer of French language services means that Francophone members of the public are informed about available services in French, have access to these services and are satisfied with the quality of these services. (Note: A [guide on the active offer of FLS](#) is available on the OFA intranet.)

French language services are deemed to be actively offered when they are

- results-oriented
- integrated into a ministry’s overall service delivery model
- proactive
- the result of a dialogue with the population served
- a reflection of the needs of the population
- in place for the life-cycle of the service or initiative

Question: What are the French language proficiency levels accepted in the OPS?

Answer: There are two acceptable levels: Advanced or Superior for both oral and written skills

- **Advanced** (typically: inspectors, employment consultants): able to carry regular conversations in French, deal with work-related requirements, participate in meetings and group discussions, and write straightforward letters and reports.
- **Superior** (typically: information officers, policy advisors, program officers, communicators, issue coordinators or policy analysts): able to handle complex and potentially sensitive discussions with key Francophone stakeholders, write complex documents such as sensitive letters, speeches, media releases or activity reports.

Several combinations (Advanced/Superior - Oral/Written) are possible to ensure that proficiency requirements match the job specification.

(Note: Proficiency levels currently under review)

Question: What is the difference between the “Advanced” and “Superior” levels of French language proficiency?

Answer: Oral Proficiency

Advanced level: At this level, one has the ability to participate in conversations and satisfy many work requirements. One can discuss work-related matters with some ease and facility, expressing opinions and offering views. One is able to take part in a variety of verbal exchanges and to participate in meetings and discussion groups. However, one still needs help with handling complicated issues or situations. One is generally good in either grammar or vocabulary but not in both.

Superior level: At this level, one has the ability to speak the language with sufficient structural accuracy and vocabulary to participate effectively in most formal and informal conversations on practical, social and professional topics. One is able to use idioms and specific vocabulary relevant to a variety of contexts and to give verbal presentations in both formal and informal settings.

Written Proficiency

Advanced level: At this level, one is able to use a variety of sentence types to express general ideas and opinions on non-specialized topics. One can write simple letters and reports required of the position. One experiences few problems with either grammar or spelling. However, the writing style may represent literal translations. Nevertheless, a sense of organization is emerging and one is beginning to sense what is stylistically and grammatically correct in French.

Superior level: At this level, one is able to express oneself effectively in most formal and informal writing tasks/assignments on practical, social and professional topics. One is able to recognize awkwardness in sentence structure and paragraphs. Errors in grammar and spelling are minor and infrequent.

Question: Once it has been established that the candidate does not meet the French-language requirements of the designated position, should I still proceed with the interview process?

Answer: No. Only individuals who possess the required language skills can be interviewed for positions that require proficiency in French.

Question: What should be done if the initial search is unsuccessful?

Answer: Each situation is unique and varies depending on the job requirements and the pool of candidates in the community. The FLS Coordinator and the RC can help explore alternate strategies, both for the short and longer term (i.e.; temp assignments, underfills, etc).

Question: Can I fill a vacant bilingual position under 6 months or pending completion of recruitment for the bilingual position with someone who is not bilingual?

Answer: Every attempt should be made to assign a bilingual employee even if it is for a period under 6 months or pending completion of recruitment. Managers are advised to discuss with the FLS Coordinator and HR Advisor vacancies under 6 months/pending completion of recruitment prior to assignment if they have problems finding a bilingual staff.

Question: What is a French Language Services Cluster?

Answer: Since the spring of 2009, French language services are coordinated through French Language Services Clusters. These clusters provide strategic leadership and support for the planning and delivery of FLS policies, programs, and guidelines.

ECONOMICS AND CENTRAL AGENCIES	EDUCATION AND COMMUNITY SERVICES	LAND AND RESOURCES
<ul style="list-style-type: none"> • Cabinet Office • Economic Development and Trade • Finance • Government Services (including Service Ontario) • Intergovernmental Affairs • Labour • Research and Innovation • Revenue 	<ul style="list-style-type: none"> • Children and Youth Services • Citizenship and Immigration • Community and Social Services • Consumer Services • Education • Municipal Affairs and Housing • Training, Colleges and Universities • Tourism and Culture 	<ul style="list-style-type: none"> • Aboriginal Affairs • Agriculture, Food and Rural Affairs • Energy • Environment • Infrastructure • Natural Resources • Northern Development, Mines and Forestry • Transportation
HEALTH SERVICES	JUSTICE	
<ul style="list-style-type: none"> • Health and Long-Term Care • Health Promotion and Sport 	<ul style="list-style-type: none"> • Attorney General • Community Safety and Correctional Services 	



USEFUL LINKS

LINK TO AUTHORITY:

[Public Service of Ontario Act](#)

[French Language Services Act 101](#)

[Staffing Operating Policy](#)

LINK TO RESOURCE:

[French Language Services and You - Video](#)

[Compendium of Exemplary Practices on FLS](#)

[OFA Intranet](#)

[Recruitment Services – Regional HR Services](#)

[HR Advisory Services](#)

[FLEX French-Language Excellence Program](#)

[FLS RbP Reporting](#)

[WIN Best Practices Guide on Position Management](#)